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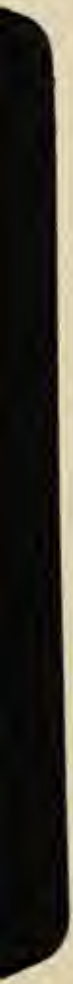
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4060th

Meeting of
February 13, 2003

4077th

Meeting of
June 12, 2003



Project No. P03-2204-C1A, for Miscellaneous Pool and Bath-House Repairs, Various MDC Locations.

Estimated Cost - \$65,000.00.

Time for Performance – estimated at eight (8) weeks – all work to be completed by June 7, 2003.

Funding for this project is contingent upon available funds in Account No. 2440-7992.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P03-2204-C1A, for Miscellaneous Pool and Bath-House Repairs, Various MDC Locations.

1. Report of Messrs. Faucher, Misslin and Balicki, February 3, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P03-2200-C1A, for Swimming Pool Painting, FY03, Various MDC Locations.
Estimated Cost - \$120,000.00.
Time for Performance – estimated at eight (8) weeks – all work to be completed no later than June 1, 2003.
Funding for this project is contingent upon available funds in Account No. 2440-7992.
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to advertise Project No. P03-2200-C1A, for Swimming Pool Painting, FY03, Various MDC Locations.
2. Report of Messrs. Faucher, Gearheart, Misslin and Kane, January 30, requesting approval of Extra Work Order No. 1, in the amount of \$3,384.90, for construction of two concrete pads, one adjacent to the Visitors Center, and one behind the Maintenance Building, in order to install propane tanks to heat the two structures, on Contract No. P02-2138-C3A, with Aztech Construction Corp., for Construction of Concrete Deck Footings, Insulation, Wallboard and Plastering and Painting for the Visitor's Center at Breakheart Reservation, Saugus.
Funding is available in Account No. 2440-7991.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$3,384.90.
3. Report of Messrs. Faucher, Misslin and Balicki, February 4, submitting for approval Work Schedule, Project Summary and Project Justification and requesting permission to advertise Project No. P03-2205-M1A, for Maintenance of Pool Filtration Systems, All MDC Pools
Estimated Cost - \$618,400.00.
Time for Performance – two years.
Funding for this project is contingent upon available funds in Account No. 2440-2016.
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to advertise Project No. P03-2205-M1A, for Maintenance of Pool Filtration Systems, All MDC Pools.

Action was taken upon the following matters relating to the Office of General Counsel:

4. Report of Ms. Murphy, February 10, recommending that the Commission approve the revised boating permit form, which is comprised of the document entitled "Boating Permit" and the document entitled "Terms and Conditions, Boating Permit;" and to approve the proposed

boating permit to the Massachusetts Institute of Technology (MIT) for the continued use of the MIT boating pavilion for the purposes of a sailing program; and to approve the proposed boating permit to MIT for the continued use of the MIT boathouse for the purposes of a rowing program; and to authorize the Secretary to the Commission to execute the said boating permits to MIT on behalf of the Commission.

The Commission V O T E D: to approve the revised boating permit form, which is comprised of the document entitled "Boating Permit" and the document entitled "Terms and Conditions, Boating Permit".

The Commission further V O T E D: to approve the proposed boating permit to the Massachusetts Institute of Technology (MIT) for the continued use of the MIT boating pavilion for the purposes of a sailing program.

The Commission further V O T E D: to approve the proposed boating permit to MIT for the continued use of the MIT boathouse for the purposes of a rowing program.

The Commission further V O T E D: to authorize the Secretary to the Commission to execute the said boating permits to MIT on behalf of the Commission.

1. Report of Mr. Gray, February 10, recommending that the Commission authorize the issuance of construction permits to the Massachusetts Bay Transportation Authority (MBTA), and any other temporary construction agreements which may be required, to facilitate the reconstruction of the Charles/MGH subway station in the City of Boston, Massachusetts, subject to and in accordance with the provisions of Chapter 252 of the Acts of 2002, and subject also to site plan design and construction approval by the Metropolitan District Commission; and to authorize the transfer of certain permanent easement interests for the reconstruction of the Charles/MGH MBTA subway station in the City of Boston, to the MBTA, provided that such transfer shall not occur until the completion of both the reconstruction and the environmental permitting by the MBTA, in accordance with and subject to the provisions of said Chapter 252; and to authorize the Secretary to the Commission to sign all instruments relating to the transfer and use of the property described in said Act.

The Commission V O T E D: to authorize the issuance of construction permits to the Massachusetts Bay Transportation Authority (MBTA), and any other temporary construction agreements which may be required, to facilitate the reconstruction of the Charles/MGH subway station in the City of Boston, Massachusetts, subject to and in accordance with the provisions of Chapter 252 of the Acts of 2002, and subject also to site plan design and construction approval by the Metropolitan District Commission.

The Commission further V O T E D: to authorize the transfer of certain permanent easement interests for the reconstruction of the Charles/MGH MBTA subway station in the City of Boston, to the MBTA, provided that such transfer shall not occur until the completion of both the reconstruction and the environmental permitting by the MBTA, in accordance with and subject to the provisions of said Chapter 252.

The Commission further V O T E D: to authorize the Secretary to the Commission to sign all instruments relating to the transfer and use of the property described in said Act.

Adjourned at 9:20 a.m., to meet on Thursday, February 20, 2003 at 9:00 a.m.


Secretary

Record of the Four Thousand Sixty First (4061st) Meeting of the Metropolitan District Commission duly called and held at MDC Headquarters Building, 20 Somerset Street, Boston, Massachusetts, on Thursday, February 20, 2003.

Present, Acting Commissioner McKinney and Associate Commissioners Elkort, Kahalas and Rollins.

The Records of the Commission Meeting held on February 6, 2003, were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Misslin and Sodano, February 13, requesting approval of the actions of Deputy Commissioner Faucher resulting in the award of Emergency Contract No. P03-2202-C1A, to T-Ford Company, with a low bid in the sum of \$6,140.00, for Emergency Repair to Castle Island Water Line.
Funding from Account No. 2440-8952.
The Commission V O T E D: to approve the actions of Deputy Commissioner Faucher resulting in the award of Emergency Contract No. P03-2202-C1A, to T-Ford Company.
The Commission further V O T E D: to award Emergency Contract No. P03-2202-C1A, to T-Ford Company, with a low bid in the sum of \$6,140.00, for Emergency Repair to Castle Island Water Line.
2. Report of Messrs. Faucher, DiPietro and Galvin, February 10, recommending approval of an extension of time from March 31, 2003 to May 25, 2003, on Contract No. P00-2022-C2A, with Fiore Construction Co., Inc., for Construction of Sewer Connection at Houghton's Pond in Milton, due to need to complete punch list items including loam and seed.
The Commission V O T E D: to approve an extension of time from March 31, 2003 to May 25, 2003, as recommended by Messrs. Faucher, DiPietro and Galvin, in their report of February 10, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation
3. Report of Messrs. Faucher and Thurlow, February 10, requesting approval of Project Summary, Work Schedule, Project Justification and authorization to advertise Project No. P03-2201-C1A, for 2003 and 2004 Parkway Landscape Improvements.
Work to Commence – spring of 2003.
Estimated Cost - \$350,000.00.
Funding from Account No. 2490-8910.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P03-2201-C1A, for 2003 nd 2004 Parkway Landscape
4. Report of Mrs. Overton Bussell and Messrs. Faucher, Misslin, Church and Abounaja, January 27, requesting approval of additional funding in the amount of \$30,000.00, for abatement of asbestos pipe insulation at MDC Headquarters Building and pump stations exhaust pipe

insulation at the Charles River and Earheart Dam, on Contract No.P00-2064-C1A, with SCS Environmental, for Asbestos Abatement from Various MDC Facilities.
Funding from Account No. 2440-7994.

The Commission V O T E D: Approved as recommended by Mrs. Overton Bussell and Messrs. Faucher, Misslin, Church and Abounaja in their report of January 27, 2003

1. Report of Messrs. Faucher, Misslin and Haider, February 19, recommending that the Commission readvertise Contract No. P02-2167-M3A, for Service to Hydraulic Systems at Various Flood Control/Navigational Sites.
(No bids were received on the scheduled bid opening date of February 19, 2003).
Time for Performance – Twenty four months from Notice to Proceed.
Estimated Cost – FY03 - \$85,000.00.
FY04 - \$85,000.00.
Funding from Account No. 2410-0800.
The Commission V O T E D: Approval readvertise Contract No. P02-2167-M3A, for Service to Hydraulic Systems at Various Flood Control/Navigational Sites.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Mr. McGinn, February 6, submitting for approval and execution Quabbin Park Cemetery Deed No. Q-1749, conveying Lot No. 1916, to Raymond A. and Lynn M. Mainville.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No.Q-1749, dated February 20, 2003, which was signed by the Commissioner and three Associate Commissioners.
3. Report of Mr. McGinn, February 6, submitting for approval and execution Quabbin Park Cemetery Deed No. Q-1748, conveying Lot No. 1238, to Ernest E. and Kathryn L. Weaver.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1748, dated February 20, 2003, which was signed by the Commissioner and three Associate Commissioners.
4. Report of Messrs. McGinn and Scannell, February 6, requesting that the Commission Amend the Public Access Plan for the Wachusett Reservoir to change the opening day of fishing at Wachusett Reservoir and the MDC-controlled Waushacum Ponds to the first Saturday of April beginning in 2003.
The Commission V O T E D: to Amend the Public Access Plan for the Wachusett Reservoir to change the opening day of fishing at Wachusett Reservoir and the MDC-controlled Waushacum Ponds to the first Saturday of April beginning in 2003, as requested by Messrs. McGinn and Scannell in their report of February 6, 2003.

Action was taken upon the following matter relating to the Office of General Counsel:

1. Report of Ms. Murphy, February 19, recommending the Commission approve a contract with Tighe & Bond, Consulting Engineers and Environmental Specialists, in the amount of \$3,239.00, to prepare and file an RNF with the Department of Environmental Protection (DEP) regarding the elevated concentration of lead found in land adjacent to Rumney Marsh; collect and analyze additional soil samples from this land for lead; and, subject to DEP regulations, prepare and file and RAO with DEP, pursuant to the recommendations set forth in Tighe & Bond's Environmental Site Assessment report, in order for the MDC to be in compliance with DEP regulations regarding approximately 89.6 acres of land adjacent to the Rumney Marsh Reservation which the City of Revere is to transfer to the MDC pursuant to the Agreement entered into by and between the MDC and the City of Revere dated March 15, 2001.

Account No. 2440-8886.

The Commission V O T E D: to approve a contract with Tighe & Bond, Consulting Engineers and Environmental Specialists, in the amount of \$3,239.00, to prepare and file an RNF with the Department of Environmental Protection (DEP) regarding the elevated concentration of lead found in land adjacent to Rumney Marsh; collect and analyze additional soil samples from this land for lead; and, subject to DEP regulations, prepare and file and RAO with DEP, pursuant to the recommendations set forth in Tighe & Bond's Environmental Site Assessment report, in order for the MDC to be in compliance with DEP regulations regarding approximately 89.6 acres of land adjacent to the Rumney Marsh Reservation which the City of Revere is to transfer to the MDC pursuant to the Agreement entered into by and between the MDC and the City of Revere dated March 15, 2001.

Adjourned at 9:25 a.m., to meet on Thursday, February 27, 2003 at 9:00 a.m.


Secretary

Record of the Four Thousand Sixty Second (4062nd) Meeting of the Metropolitan District Commission duly called and held at MDC Headquarters Building, 20 Somerset Street, Boston, Massachusetts, on Thursday, February 27, 2003.

Present, Acting Commissioner McKinney and Associate Commissioners Elkort, Kahalas and Rollins.

The Records of the Commission Meeting held on February 13, 2003, were read and approved.

The Secretary submitted for signature the following paper which was signed the Commissioner and three Associate Commissioners:

1. Emergency Contract No. P03-2202-C1A, dated February 27, 2003, with T-Ford Company, for Emergency Repair to Castle Island Water Line.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs Faucher, Misslin and Haider, February 21, recommending approval of Extra Work Order No. 1 – for replacement of hangers and sheaves (single speed center parting door hangers) on elevators 2 and 3 at Headquarters - at a cost of \$22,744.63, on Contract No. P02-2168-M1A, with Eagle Elevator Co., for Maintenance of Elevators at Various MDC Facilities within the Metropolitan Systems.
Funding from Account No. 2440-8952.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of \$22,744.63.
3. Report of Messrs. Faucher, Griffin and Trzcinski, February 19, recommending approval of Extra Work Order No. 2 – for replacing an expansion joint and repairing the approach deck, securing the shear locks and replacing a sump pump – at a cost of \$49,499.34, on Contract No. P02-2136-C1A, with N.E.L. Corporation, for Repair of Land Boulevard Bridge, Cambridge.
Funding from Account No. 2490-0012.
The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of \$49,499.34
4. Report of Messrs. Faucher and Kirwin and Mrs. Graves-Jones, February 21, recommending approval of an extension of time from April 2, 2003 to December 31, 2003, on Contract No. P01-2089-M1A, with N.E.L. Corporation, for Improvement and Refurbishment of Hydrocell Crash Cushion, due to need to complete ongoing projects.
(At no additional Contract cost)
The Commission V O T E D: to approve an extension of time from April 2, 2003 to December 31, 2003, as recommended by Messrs. Faucher and Kirwin and Mrs. Graves-Jones in their report of February 21, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Baratta, February 24, requesting approval and execution of Amendment No. 1 – to increase the Contract value from \$1,008,690.00 to \$1,245,320.00, an increase of \$236,630.00 for inspection and administrative service, for Contract No. WM98-061-X10A, with Weston and Sampson, for Final Phase West Boylston 2000 – 1W Sewer Construction Project.

Funding from Account Nos. 2420-4994 and 2420-7961.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Amendment No. 1, dated February 27, 2003, on Contract No. WM98-061-X10A, with Weston and Sampson, which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following matters relating to the Office of General Counsel:

2. Report of Mr. Gray and Ms. O'Brien, February 25, recommending that the Commission approve the Memorandum of Agreement by and among the Boston Duck Tours, Limited Partnership, the Massachusetts Highway Department, and the Metropolitan District Commission, which relates to the construction of temporary and permanent boat ramps at the Charles River Reservation North Point Park, in accordance with and subject to the terms and provisions of said Agreement, and authorize the Acting Commissioner to sign on behalf of the Commission. The Commission V O T E D: to approve the Memorandum of Agreement by and among the Boston Duck Tours, Limited Partnership, the Massachusetts Highway Department, and the Metropolitan District Commission, which relates to the construction of temporary and permanent boat ramps at the Charles River Reservation North Point Park, in accordance with and subject to the terms and provisions of said Agreement. The Commission further V O T E D: to authorize the Acting Commissioner to sign on behalf of the Commission

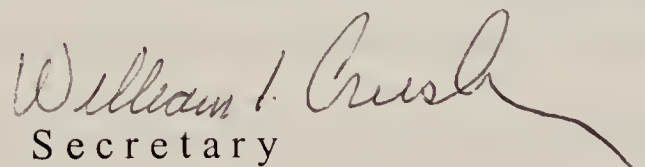
3. Report of Ms. McLaughlin, February 26, recommending that the Commission approve a Joint Management Agreement by and between the Metropolitan District Commission and the Massachusetts Highway Department for the restoration of the Longfellow Bridge, and authorize Acting Commissioner McKinney to sign said Agreement on behalf of the Commission; and further authorize Acting Commissioner McKinney to sign all other documents, if any, relating to and required by this matter.

The Commission V O T E D: Approved.

The Commission further V O T E D: to authorize Acting Commissioner McKinney to sign said Agreement on behalf of the Commission

The Commission further V O T E D: to authorize Acting Commissioner McKinney to sign all other documents, if any, relating to and required by this matter.

Adjourned at 9:20 a.m., to meet on Thursday, March 6, 2003 at 9:00 a.m.


Secretary

Record of the Four Thousand Sixty Third (4063rd) Meeting of the Metropolitan District Commission duly called and held at MDC Headquarters Building, 20 Somerset Street, Boston, Massachusetts, on Thursday, March 6, 2003.

Present, Acting Commissioner McKinney and Associate Commissioners Anzuoni, Kahalas and Rollins.

The Records of the Commission Meeting held on February 20, 2003 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Lenhardt, February 26, recommending approval of an extension of time from March 9, 2003 to September 1, 2003, on Contract No.P99-1986-C2A, with James A. Gross, Inc., for Repair of John J. Beades Drawbridge, Boston, due to the need to finish project.
(The recommendation is made under the provisions of Article XXII and the extension will in no way affect the liquidated damages provision of Article XXI that may be due the Commission. The extension shall not operate as a waiver on the part of the Commission or in any of its rights under this contract).
The Commission V O T E D: to approve an extension of time from March 9, 2003 to September 1, 2003, as recommended by Messrs. Faucher and Lenhardt, in their report of February 26, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation and that this extension of time shall in no way affect the liquidated damages provision of Article XXI, that may be due the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under this Contract.
2. Report of Messrs. Faucher, Misslin and Balicki, January 28, requesting approval of Extra Work Order No. 1 – for replacing threshold – at a cost of \$289.07 and Extra Work Order No. 2 – for chiller piping changes – at a cost of \$6,711.27 – a total of \$7,000.34, on Contract No. P02-2176-C1A, with TAB Engineering, for Replacement of Rink Bed Piping and Refrigeration Equipment, Allied Veterans Rink, Somerville.
Funding from Account No. 2495-8968.
The Commission V O T E D: to approve Extra Work Order No. 1, at a cost of \$289.07.
The Commission further V O T E D: to approve Extra Work Order No. 2, at a cost of \$6,711.27.
3. Report of Messrs. Faucher, Misslin and Sodano. February 24, recommending approval of Extra Work Order No. 1 – for connecting the storm water runoff to leaching basin No. 3 with 45 feet of 4 inch PVC pipe – at a cost of \$1,880.00, on Contract No. PL95-031-C1A, with Fleming Brothers, Inc., for Construction of Abigail Adams Park, Back River Reservation, Weymouth.
Funding from Account No. 2440-7958.
The Commission V O T E D: to approve of Extra Work Order No. 1, at a cost of \$1,880.00.

1. Report of Messrs. Faucher and Thurlow, February 20, on bids for Tree Removals and Pruning at Leo J. Martin Golf Course, Contract No.P03-2197-C1A.
(Messrs. Faucher and Thurlow recommend acceptance of the lowest bid received, that of Tree Technology and Landscape Co., Inc., of \$13,719.00).
The Commission V O T E D: to accept the lowest bid received, that of Tree Technology and Landscape Co., Inc., of \$13,719.00.
2. Report of Messrs. Faucher and Griffin, February 21, requesting approval of Assignment No. 2 – for Repairs to Storrow Drive Tunnel Drive Pipe – at a total cost of \$14,515.81 and the actions of Deputy Commissioner Faucher, resulting in Extra Work Order No. 2 – for repairs to drain pipe – at a cost of \$11,961.81, on Agency Master Service Agreement, Contract No. P02-2158-C1A, with N.E.L. Corporation, for Emergency Bridge Repairs.
(Messrs. Faucher and Griffin further request authorization to pay N.E. L. Corporation \$14,515.81, due for the repair work).
Funding from Account No. 2490-8881.
The Commission V O T E D: to approve Assignment No. 2 – for Repairs to Storrow Drive Tunnel Drain Pipe – at a cost of \$14,515.81
The Commission further V O T E D: to approve the actions of Deputy Commissioner Faucher, which resulted in Extra Work Order No. 2.
The Commission further V O T E D: to approve Extra Work Order No. 2, at a cost of \$11,961.81.
The Commission further V O T E D: authorization to pay N.E. L. Corporation \$14,515.81, due for the repair work
3. Report of Messrs. Faucher, Misslin and Balicki, February 28, recommending approval of an extension of time from February 13, 2003 to August 13, 2003, on Contract No. P03-2181-C1A, with Essex County Craftsmen, Inc., for Heating and Air Conditioning for Visitors Center and Maintenance Garage, Breakheart Reservation, Saugus, due to cold weather and delays in Vocational School completing items.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from February 13, 2003 to August 13, 2003, as recommended by Messrs. Faucher, Misslin and Balicki in their report of February 28, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
4. Report of Messrs. Faucher, Misslin and Gabra, March 4, requesting approval of an extension of time from January 29, 2003 to May 9, 2003, on Contract No.P02-2175-M1A, with D & C Construction Company, Inc., for Rehabilitation of Flood Control Pump at Charles River Dam, Charlestown, due to the need to repair and replace damaged baffle-plate propeller assembly.
The Commission V O T E D: to an extension of time from January 29, 2003 to May 9, 2003, as requested by Messrs. Faucher, Misslin and Gabra in their report of March 4, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following Various Matters:

1. Report of Mr. Doak, March 4, requesting approval of a second one year contract extension to the Contract with Michael Wortis d/b/a MFW, Inc., for Professional Golf Services at the Leo J. Martin Golf Course in Weston, pursuant to the Commission vote of March 7, 2002.
Compensation to the Commission for the season shall be \$68,035.28, paid in equal monthly installments.
Mr. Doak further requests authorization for Commissioner McKinney to execute the extension document on behalf of the Commission.
The Commission V O T E D: to approve a second one year contract extension to the Contract with Michael Wortis d/b/a MFW, Inc., for Professional Golf Services at the Leo J. Martin Golf Course in Weston, pursuant to the Commission vote of March 7, 2002, as requested by Mr. Doak in his report of March 4, 2003.
The Commission further V O T E D: authorization for Commissioner McKinney to execute the extension document on behalf of the Commission.
2. Report of Mr. Jewett, March 4, on behalf of the Consultant Selection Committee recommending award of Contract No.P01-2090-D1A, for Professional Engineering Services for Bridges, Parkways and Other Commission Facilities, to Simpson, Gumpertz & Heger, Inc., and further authorize a Contract to be prepared for execution.
Compensation – not-to-exceed \$300,000.00, be paid on a cost plus fixed fee basis, over a two year period from a Notice to Proceed.
Funding from Account No. 2440-9990.
The Commission V O T E D: to award Contract No.P01-2090-D1A, for Professional Engineering Services for Bridges, Parkways and Other Commission Facilities, to Simpson, Gumpertz & Heger, Inc., as recommended by Mr. Jewett in his report of March 4, 2003.
The Commission further V O T E D: authorization to prepare the Contract for Commission execution.

Action was taken upon the following matter relating to the Office of General Counsel:
3. Report of Mr. Collette, March 3, recommending that the Commission amend an agreement between the Metropolitan District Commission and Turnpike Donuts, Inc., dated December 20, 2002, to allow Turnpike Donuts, Inc., to rebuild improvements to a parcel of land in Canton, as already approved by the Commission by its vote on December 19, 2002, in the event of fire or other casualty.
Mr. Collette further recommends authorization for the Secretary of the Commission to execute this amendment and any and all additional amendments to this agreement on behalf of the Commission.
The Commission V O T E D: to amend an agreement between the Metropolitan District Commission and Turnpike Donuts, Inc., dated December 20, 2002, to allow Turnpike Donuts, Inc., to rebuild improvements to a parcel of land in Canton, as already approved by the Commission by its vote on December 19, 2002, in the event of fire or other casualty.
The Commission further V O T E D: authorization for the Secretary of the Commission to execute this amendment and any and all additional amendments to this agreement on behalf of the Commission.

Adjourned at 9:15 a.m., to meet on Thursday, March 13, 2003 at 9:00 a.m.


Secretary

Record of the Four Thousand Sixty Fourth (4064th) Meeting of the Metropolitan District Commission duly called and held at MDC Headquarters Building, 20 Somerset Street, Boston, Massachusetts, on Thursday, March 13, 2003.

Present, Acting Commissioner McKinney and Associate Commissioners Anzuoni, Elkort, Kahalas and Rollins.

The Records of the Commission Meeting held on February 27, 2003 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Lenhardt, January 21, recommending approval of revisions in quantities on the following items on Contract No. P99-1986-C2A, with James A. Gross, Inc., for Repair of John J. Beades Drawbridge, Boston –
Item No. 029-010 – New Structural Steel - \$210,000.00
Item No. 030-010 – Lead Base Paint Abatement - \$ 10,600.00
Item No. 031-010 – Paint Structural Steel - \$288,000.00
Total - \$508,600.00
Funding from Account No. 2490-2001.
The Commission V O T E D: Approved
2. Report of Messrs. Faucher, Carrigan and MacLean, February 13, recommending approval of an extension of time from April 25, 2003 to September 30, 2003, on Contract No. P00-2087-C1A, with D'Allessandro Corp., for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan Park System.
(At no increase in Contract cost).
The Commission V O T E D: to approve of an extension of time from April 25, 2003 to September 30, 2003, as recommended by Messrs. Faucher, Carrigan and MacLean, in their report of February 13, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation
3. Report of Messrs. Faucher, Misslin and Sodano, February 3, recommending approval of Extra Work Order No. 2 – for installation of a 24" check valve at the discharge end of the fall-out pipe – at a cost of \$15,704.00, on Contract No. PL95-031-C1A, with Fleming Brothers, Inc., for Construction of Abigail Adams Park, Back River Reservation, Weymouth.
Funding from Account No. 2440-7958.
The Commission V O T E D: to approve Extra Work Order No. 2, at a cost of \$15,704.00
4. Report of Messrs. Faucher, Misslin and Sodano, February 4, recommending approval of Extra Work Order No. 4 – for additional Licensed Site Professional work performed by Fleming Brothers and GEI – at a cost of \$1,346.00, on Contract No. PL95-031-C1A, with Fleming Brothers, Inc., for Construction of Abigail Adams Park, Back River Reservation, Weymouth.
Funding from Account No. 2440-7958.
The Commission V O T E D: to approve Extra Work Order No. 4, at a cost of \$1,346.00

1. Report of Messrs. Faucher, Misslin and Sodano, February 10, requesting approval of Alteration No. 1 – for excavating and moving within the confines of the project site, approximately 28,000 square feet of existing soil determined to be contaminated after start of the Contract – at a cost of \$24,288.00, on Contract No. PL95-031-C1A, with Fleming Brothers, Inc., for Construction of Abigail Adams Park, Back River Reservation, Weymouth.
Funding from Account No. 2440-7958.
The Commission V O T E D: to approve Alteration No. 1, at a cost of \$24,288.00
2. Report of Messrs. Faucher, Misslin and Sodano, January 30, recommending approval of Extra Work Order No. 3 – for installation of 4 light poles at two locations within the park – at a cost of \$42, 074.00, on Contract No. PL95-031-C1A, with Fleming Brothers, Inc., for Construction of Abigail Adams Park, Back River Reservation, Weymouth.
Funding from Account No. 2448-0052.
The Commission V O T E D: to approve Extra Work Order No. 3, at a cost of \$42, 074.00
3. Report of Messrs. Faucher, Carrigan and MacLean, February 6, recommending approval of revisions in quantities on the following items on Contract No. P02-2178-C1A, with D & R General Contracting, Inc., for Rehabilitation of Tennis and Basketball Courts Throughout the Metropolitan District –

Item No. 001-010	\$16,174.00
Unclassified Excavation	
Item No. 003-010	\$41,860.00
Gravel Borrow	
Item No. 011-010	<u>\$ 1,000.00</u>
Tree Removal, Including Stump (Diameter Less than 7")	

Total - \$59,034.00

(Unused quantities in Item Nos. 002-010 – Dense Graded Crushed Stone, 005-010 – Fine Grading and Compacting, and 015-010 – Bituminous Concrete – will fund \$16,034.00 of the revisions. The remaining \$43,000.00 will be funded from Account No. 2440-7991.
The Commission V O T E D: Approved.
4. Report of Messrs. Faucher, Misslin and Balicki, March 5, recommending that the Commission vote to increase the contract amount from \$57,700.00 to \$90,753.00 and accept the lowest bid received and award Contract No. P03-2195-C1A, for Floor Drains, Sewer and Tanks, Various MDC Sites to the D'Allessandro Corp., with a low bid of \$90,753.00.
Time for Performance – eight weeks.
Funding from Account No. 2440-4994.
The Commission V O T E D: Approval to increase the contract amount on Contract No. P03-2195-C1A, for Floor Drains, Sewer and Tanks, Various MDC Sites, from \$57,700.00 to \$90,753.00.
The Commission further V O T E D: to accept the lowest bid received and award Contract No. P03-2195-C1A, to the D'Allessandro Corp., with a low bid of \$90,753.00, as recommended by Messrs. Faucher, Misslin and Balicki in their report of March 5, 2003.

Action was taken upon the following Various Matters

1. Report of The Concession Selection Committee, March 7, recommending approval of a five year permit (2003-2007) for the food service concession at Ponkapoag Golf Course, Canton, to Family Affair Catering, Inc., with compensation paid to the Commission - a total of \$302,630.00 equally paid for the five year length of the Permit.
(The compensation for each season shall be paid in six equal installments; first and last months' payments shall be made upon execution of the Permit by the Concessionaire; the other four payments shall be made on July 1, August 1, September 1 and October 1).
The Commission V O T E D: Approved as recommended by the Concession Selection Committee in their report of March 7, 2003.
Associate Commissioner Elkort did not participate in discussion or vote on this matter.
2. Report of Mr. Doak, March 11, recommending approval and adoption of a new fee schedule to be effective at the start of the 2003 season at the Ponkapoag Golf Course, Canton and Leo J. Martin Golf Course, Weston.
(The new Schedule of Fees and new Fee Structure shall amend 350 CMR 14:02).
The Commission V O T E D: to approve and adopt a new fee schedule to be effective at the start of the 2003 season at the Ponkapoag Golf Course, Canton and Leo J. Martin Golf Course, Weston, as recommended by Mr. Doak in his report of March 11, 2003.
Associate Commissioner Elkort did not participate in discussion or vote on this matter.

Adjourned at 9:20 a.m., to meet on Thursday, March 20, 2003 at 9:00 a.m.


Secretary

Record of the Four Thousand Sixty Fifth (4065th) Meeting of the Metropolitan District Commission duly called and held at MDC Headquarters Building, 20 Somerset Street, Boston, Massachusetts, on Thursday, March 20, 2003.

Present, Acting Commissioner McKinney and Associate Commissioners Anzuoni, Elkort, Kahalas and Rollins.

The Records of the Commission Meeting held on March 6, 2003 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Misslin and Kane, March 12, requesting approval of the following on Contract No.P02-2138-C3A, with Aztech Construction Corp., for Construction of Concrete Deck and Handicap Ramp Footings, Insulation, Lath & Plastering, and Painting at Breakheart Reservation, Saugus –
Extra Work Order No. 2
for installation of bathroom tile in all bathrooms – at a cost of \$9,445.10.
(Funding from Account No. 2440-7991)
an Extension of Time
From March 30, 2003 to May 30, 2003 – students are performing work thereby prohibiting contractor from finishing interior work.
Employing K & B Flooring as sub-contractor for flooring work.
The Commission V O T E D: to approve Extra Work Order No. 2, at a cost of \$9,445.10.
The Commission further V O T E D: to approve an extension of time from March 30, 2003 to May 30, 2003, as requested by Messrs. Faucher, Misslin and Kane in their report of March 12, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
The Commission further V O T E D: to approve K & B Flooring as sub-contractor for flooring work on Contract No.P02-2138-C3A, with Aztech Construction Corp.
2. Report of Messrs. Faucher, Misslin and Gabra, March 12, requesting approval of Extra Work Order No. 1 – for replacing corroded suction bowl plate enclosure – with an upset limit of \$1,037.41, on Contract No.P02-2175-M1A, with D & C Construction Company, Inc., for Rehabilitation of Flood Control Pump at Charles River Dam, Charlestown.
Funding from Account No. 2440-7993.
The Commission V O T E D: to approve Extra Work Order 1, – with an upset limit of \$1,037.41.
3. Report of Messrs. Faucher and Orfant, March 12, requesting approval of Amendment No. 6 – for an extension of time from January 31, 2003 to March 31, 2006 – due to delays in environmental permitting, on Contract No. P97-1877-D1A, with Parsons, Brinkerhoff, Quade & Douglas, Inc., for Winthrop Shores Reservation Restoration.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

1. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, March 7, requesting approval of Extra Work Claims for work completed after the Contract expiration date of May 30, 2002, on Contract No. P95-1804-C1A, with McCourt Construction Company, for Dorchester Shores Beaches Restoration Program, as follows –
Extra Work Claim No. 4
for payment for materials purchased by the Contractor for Item No. T028-015 – Ten foot wide boardwalk – at a cost of \$4,320.61 – offset by unused quantities in Item No. T-025-009.
Extra Work Claim No. 5
for purchase of spare lighting parts for new lighting system installed at Savin Hill and Tenean Beaches – at a cost \$25,941.96 – offset by unused quantities in Item Nos. S-015-004 and S-030-003.
Extra Work Claim No. 6
for payment for completion of numerous contract items included in the punch list – items include S-02-006 – Ground Cover, S-028-010 – MDC Bench, T-028-001 – MDC Bench, S-028-005 – Picnic Table, S-028-006 – Handicapped Picnic Bench, and S-015-004 – Traffic Regulation Services, for a total of \$22,788.00.
(to be paid for by appropriate items).
Extra Work Claim No. 7
for additional cost incurred by the contractor in providing electrical service to the Savin Hill/Malibu Beaches, for a total of \$1,508.23 – to be offset by unused quantities in Item No. 025-029.
(All at no increase in Contract Value).
The Commission V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 4, at a cost of \$4,320.61.
The Commission further V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 5, at a cost of \$25,941.96.
The Commission further V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 6, for a total of \$22,788.00.
The Commission further V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 7, for a total of \$1,508.23.
2. Report of Messrs. Faucher, Misslin and Martinez, March 11, recommending approval of the request of Northeast Tank Services Co., Inc., to engage the services of Taysam Electric as subcontractor for system trouble shooting and startup of systems – for approximately thirty percent (\$109,916.10) to forty percent (\$146,554.80) of work involved on Contract No. P03-2182-C1A, with Northeast Tank Services Co., Inc., for Replacement of the Automated Fuel Management System and Tank Monitoring Systems at Various MDC Facilities.
The Commission V O T E D: to approve the request of Northeast Tank Services Co., Inc., to engage the services of Taysam Electric as subcontractor for system trouble shooting and startup of systems, on Contract No. P03-2182-C1A, with Northeast Tank Services Co., Inc., for Replacement of the Automated Fuel Management System and Tank Monitoring Systems at Various MDC Facilities.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and O'Connor, March 4, requesting approval of Amendment No. 9 – for additional design work – at a cost of \$57,677.66, on Contract No. WM94-003-D1A, with Lichtenstein Consulting Engineers, Inc., for Remedial Repairs/Improvements for Public Safety Considerations, Beaman Street Bridge, West Boylston.
Funding from Account No. 2420-7881.
The Commission V O T E D: Approved
2. Report of Messrs. Church and Abounaja, February 26, requesting approval of additional funding, in the amount of \$52,440.00 – due to the need for additional work at the former Rhodes Construction Facility, 8 Norcom Way, Saugus, on Contract No. P00-2065-D2A, with Tighe and Bond Consulting Engineers, for Licensed Site Professional Services (L.S.P.) for Various MDC Contaminated Sites.
Funding from Account No. 0610-0603.
The Commission V O T E D: Approved

Adjourned at 9:20 a.m., to meet on Thursday, March 27, 2003 at 9:00 a.m.


Secretary

Record of the Four Thousand Sixty Sixty (4066th) Meeting of the Metropolitan District Commission duly called and held at MDC Headquarters Building, 20 Somerset Street, Boston, Massachusetts, on Thursday, March 27, 2003.

Present, Acting Commissioner McKinney and Associate Commissioners Anzuoni, Elkort, Kahalas and Rollins.

The Records of the Commission Meeting held on March 13, 2003 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Galvin, February 20, recommending approval of an extension of time from July 11, 2003 to June 30, 2004 and requesting additional funding in the amount of \$16,000.00 (for the implementation of site monitoring at Ponkapoag Pond), on Contract No. P01-2114-S1B, with ESS Environmental Science Services, Inc., for Ponkapoag Pond Site Monitoring Plan, at Ponkapoag Golf Course in Canton.
(Funding from Account No. 2440-4420).
The Commission V O T E D: to approve an extension of time from July 11, 2003 to June 30, 2004, as recommended by Messrs. Faucher and Galvin in their report of February 20, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
The Commission further V O T E D: to approve additional funding in the amount of \$16,000.00 (for the implementation of site monitoring at Ponkapoag Pond).
Associate Commissioner Elkort did not participate in discussion or vote on this matter
2. Report of Messrs. Faucher, Griffin and Trzcinski, March 19, recommending approval of an extension of time from April 24, 2003 to May 31, 2003 – due to need to complete additional repairs discovered during construction on Contract No. P02-2136-C1A, with N.E.L. Corporation, for Repairs to Land Boulevard Bridge, Cambridge.
The Commission V O T E D: to approve an extension of time from April 24, 2003 to May 31, 2003, as recommended by Messrs. Faucher, Griffin and Trzcinski in their report of March 19, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
3. Report of Messrs. Faucher, DiPietro and Galvin, March 20, recommending approval of Amendment No. 2 – for an extension of time from March 31, 2003 to July 31, 2003 – due to the necessity to complete the Hydrologic and Hydraulic (H & H) Analysis and completion of the preliminary engineering necessary for the development of the Conceptual Design, on Contract No. P83-1250-S2A, with Camp Dresser and McKee, Inc., for Study and Conceptual Design for the Upper Mystic Lake Dam.
The Commission V O T E D: Approved.
4. Report of Messrs. Faucher, Misslin and Haider, March 25, requesting approval of an extension of time from March 30, 2003 to April 30, 2003 – to allow for continuation of work, on Contract

No. P00-2062-M3A, with The Entwistle Co., for Service to Hydraulic Systems at Various Flood Control/Navigation Sites.

The Commission V O T E D: to approve an extension of time from March 30, 2003 to April 30, 2003, as requested by Messrs. Faucher, Misslin and Haider in their report of March 25, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, March 21, requesting approval of Amendment No. 3 – due to the need to complete additional documentation necessary to complete the Permit application for the Army Corps of Engineers 404/Section 10 Permits for the beach nourishment component of the project – at a cost of \$11,488.00, on Contract No. P98-1937-D1A, with Rizzo Associates, Inc., for Boston Harbor Beaches – Wollaston Beach Rehabilitation Project.
Funding from Account No. 2440-8956.
The Commission V O T E D: Approved.
2. Report of Messrs. Faucher, Gearheart and Misslin, March 12, requesting approval of Extra Work Order No. 6 – for drilling into existing concrete slab surrounding the new concession stand foundation and install new dowels in preparation of the new concrete slab infill – at an estimated cost of \$6,207.00, on Contract No. P02-2171-C1A, with Shaw Construction Co., Inc., for Reconstruction of the Bernie King Pavilion, Nantasket Ave., Hull.
Funding from Account No. 2440-7991.
The Commission V O T E D: to approve Extra Work Order No. 6, at an estimated cost of \$6,207.00.
3. Report of Messrs. Faucher, Gearheart and Misslin, March 12, requesting approval of Extra Work Order No. 7 – for installation of pre-molded expansion joint into the new concrete slab at the D and 8 line – at an estimated cost of \$1,915.42, on Contract No. P02-2171-C1A, with Shaw Construction Co., Inc., for Reconstruction of the Bernie King Pavilion, Nantasket Ave., Hull.
Funding from Account No. 2440-7991.
The Commission V O T E D: to approve Extra Work Order No. 7, at an estimated cost of \$1,915.42.
4. Report of Messrs. Faucher, Gearheart and Misslin, March 12, requesting approval of Extra Work Order No. 8 – for removal of damaged asphalt, backfilling and repairing asphalt surface – at an estimated cost of \$6,012.04, on Contract No. P02-2171-C1A, with Shaw Construction Co., Inc., for Reconstruction of the Bernie King Pavilion, Nantasket Ave., Hull.
Funding from Account No. 2440-7991.
The Commission V O T E D: to approve Extra Work Order No. 8, at an estimated cost of \$6,012.04
5. Report of Messrs. Faucher, Gearheart and Misslin, March 12, requesting approval of Extra Work Order No. 9 – for restoring sub-base under bandstand – at an estimated cost of \$6,755.00,

on Contract No. P02-2171-C1A, with Shaw Construction Co., Inc., for Reconstruction of the Bernie King Pavilion, Nantasket Ave., Hull.

Funding from Account No. 2440-7991.

The Commission V O T E D: to approve Extra Work Order No. 9, at an estimated cost of \$6,755.00.

Action was taken upon the following matters relating to the Office of Planning:

1. Report of Mrs. O'Brien and Mr. Thurlow, March 20, requesting approval of Project Summary, Work Schedule, Project Justification and authorization to procure proposals for Project No. PL0-0070-M3A, for Landscape Maintenance of Paul Revere Park, Charlestown.
Duration of Project – May 2003 through October 2003.
Estimated Cost - \$25,000.00.
Funding from Account No. 2448-0052.
The Commission V O T E D: Held Over.
2. Report of Mrs. O'Brien, March 21, recommending approval of Amendment No. 1 – for an extension of time from March 31, 2003 to June 30, 2004, for the completion of construction documents and for construction phase services, on Contract No. PL95-036-D1A, with HNTB, for the Design of Leverett Circle Pedestrian Bridge and Other Pedestrian Bridges and Improvements in Boston.
Mrs. O'Brien further requests authorization for Acting Commissioner McKinney to execute the Amendment on behalf of the Commission.
The Commission V O T E D: to approve an extension of time from March 31, 2003 to June 30, 2004, for the completion of construction documents and for construction phase services, on Contract No. PL95-036-D1A, with HNTB, for the Design of Leverett Circle Pedestrian Bridge and Other Pedestrian Bridges and Improvements in Boston.
The Commission further V O T E D: to authorize Acting Commissioner McKinney to execute the Amendment on behalf of the Commission.
3. Report of Mrs. O'Brien and Mr. Driscoll, January 23, requesting approval and execution of the proposed East Coast Greenway Alliance designation of the Paul Dudley White Bike Path and the Upper Charles River Reservation Greenway as a portion of the East Coast Greenway.
The Commission V O T E D: Approved.
The Secretary then submitted for signature the East Coast Greenway Alliance designation of the Paul Dudley White Bike Path and the Upper Charles River Reservation Greenway as a portion of the East Coast Greenway, dated March 27, 2003, which was signed by the Acting Commissioner and four Associate Commissioners.

Action was taken upon the following matters relating to the Office of General Counsel:

4. Report of Ms. McLaughlin, March 21, recommending that the Commission ratify the vote of the Commission at its meeting on February 6, 2003, and adopt an Order of Taking for acquisition of approximately 59 acres of land owned by Roland Morin and Martha L. Morin, formerly known as Martha L. Burlingame, located in the Town of Sterling, Massachusetts, and

to approve an award of damages in the amount of \$470,000, together with such damages and costs as required under General Laws, Chapter 79 Sections 6, 12, 39, and 44A.
Account No. 2420-8936.

The Commission V O T E D: to ratify the vote of the Commission at its meeting on February 6, 2003, and adopt an Order of Taking for acquisition of approximately 59 acres of land owned by Roland Morin and Martha L. Morin, formerly known as Martha L. Burlingame, located in the Town of Sterling, Massachusetts.

**ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION**

Boston, March 27, 2003.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996, Chapter 236 of the Acts of 2002, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel or tract of land situated south of Justice Hill Road, shown upon plans hereinafter referred to, more particularly bounded and described as follows:

Beginning at an iron pin found in the stone wall marking the northerly line of the parcel herein being described, at a corner of the abutting lots, located on the southerly side of Justice Hill Road Cutoff, said pin marking the southeasterly and rear corner of land, now or formerly, of Sean & Kara Casten (see the deed recorded with Worcester District Registry of Deeds at Book 23275, Page 166 and Lot C on the plan recorded as Plan 97 in Plan Book 394), and the southwesterly and rear corner of land, now or formerly, of Charles H. and Karin L. Brown (see the deed recorded with said Deeds at Book 15052, Page 299 and Lot B on the plan recorded as Plan 97 in Plan Book 394), said iron pin being located S. 27° 36' 21" W., 374.28 feet, as measured along the Casten & Brown lot line, from a concrete bound found in the curve forming the southerly layout line of the 1935 Worcester County Highway Record Layout of Justice Hill Road Cutoff (see the Order of the Worcester County Commissioners, dated November 16, 1934, recorded with said Deeds at Book 2626, Page 516, and the accompanying Plan H-2433-R, recorded therewith as Plan 11 in Plan Book 83) said iron pin also being located at the northwesterly corner of other excluded land, now or formerly, of the supposed owners listed below, specifically excluded from the provisions of this order and reserved to them, their heirs and assigns, shown upon a plan referenced below;

- Thence S. 02° 26' 33" E., 152.28 feet, by the westerly line of the excluded lot, to an MDC concrete bound set at an angle in the line;
- Thence S. 16° 58' 43" E., 617.49 feet, by the westerly line of the excluded lot, to a drill hole made in a boulder to mark the southwesterly corner of said excluded lot;
- Thence S. 77° 49' 15" E., 384.28 feet, by the southerly line of the excluded lot, to a drill hole found at a point in another stone wall marking the westerly line of land, formerly of John V. Blanchard, and, now or formerly, of Justice Hill Inc. (see the deed recorded with said Deeds at Book 6095, Page 338);
- Thence S. 18° 42' 52" E., 181.60 feet, by the stone wall, to a point therein;
- Thence S. 20° 17' 35" E., 184.13 feet, by the stone wall, to a point therein;
- Thence S. 16° 44' 05" E., 143.76 feet, by the stone wall, to a drill-hole made at a point therein at an angle in the wall;
- Thence S. 62° 45' 57" E., 266.53 feet, by the wall, to a point therein;
- Thence S. 60° 56' 24" E., 98.04 feet, by the wall, to another drill-hole made in a wall corner, at land, formerly of Harry & Dorothy Hunt, now or formerly, of T.D. Realty Trust (see the deed recorded with said Deeds at Book 10412, Page 83, the last five courses being by land, now or formerly, of Justice Hill Inc.;
- Thence S. 09° 52' 32" W., 60.10 feet, by the wall, and land, now or formerly, of T.D. Realty Trust, to another drill-hole made in another wall corner;
- Thence S. 68° 55' 10" W., 109.75 feet, by the wall and partially by land, now or formerly, of T.D. Realty Trust and partially by land, formerly of Edward C. Malone et ux, now or formerly, of Pascal A. Mancini (see the deed recorded with said Deeds at Book 18739, Page 395), to a point;
- Thence S. 70° 20' 35" W., 559.23 feet, by the wall and, partially by land, now or formerly, of Pascal A. Mancini, and partially by land, now or formerly, of Martin-Ireland Trust (see the deed recorded with said Deeds at Book 9110, Page 45 and see also Lots A and E on Plan 109 in Plan Book 580), to a point in the wall;
- Thence S. 70° 03' 23" W., 90.01 feet, by the wall and land, now or formerly, of Martin-Ireland Trust (see Lot E on the last cited recorded plan), to a point;
- Thence S. 72° 25' 45" W., 189.46 feet, by the wall and land, now or formerly, of Martin-Ireland Trust (see Lots E and F on the last cited recorded plan), to a point in the wall;

- Thence S. 71° 41' 38" W., 109.58 feet, by the wall and the land, now or formerly, of Martin-Ireland Trust (see Lot F on the last cited recorded plan), to another drill-hole made in another angular stone wall corner, at the northeasterly corner of land, formerly of Davis Farm Trust, now of the Commonwealth Of Massachusetts, Metropolitan District Commission (see the order of taking dated June 5, 1996 recorded with said Deeds on July 2, 1996 at Book 18052, Page 284);
- Thence N. 77° 18' 31" W., 186.41 feet, by the wall, to a point therein;
- Thence N. 76° 36' 59" W., 422.29 feet, by the stone wall to a drill-hole made in a boulder at an angle in the line of the wall;
- Thence N. 53° 26' 42" W., 658.85 feet, by the stone wall, across a brook and running to another drill-hole made in a wall corner, at the southeasterly corner of land, formerly of Robert Morrison Jr., late of Bruce S. & Janet R. Baker, and now of the Commonwealth of Massachusetts, Metropolitan District Commission, (see the order of taking dated May 1, 1997, recorded with said Deeds on May 29, 1997 at Book 18860, Page 123), the last three courses being by the aforesaid land, formerly of Davis Farm Trust and now of the Commonwealth of Massachusetts, MDC;
- Thence N. 08° 44' 27" E., 448.36 feet, by the stone wall, re-crossing the brook and running to a point in the wall;
- Thence N. 06° 47' 57" E., 324.18 feet, by the stone wall to another drill-hole made in a boulder in the wall;
- Thence N. 17° 38' 57" E., 282.11 feet, by the stone wall;
- Thence N. 19° 46' 44" E., 397.84 feet, by the southerly line of to a point in the;
- Thence N. 17° 38' 53" E., 159.88 feet, by the stone wall, to another drill-hole made in another stone wall corner, at land, formerly of Robert E. Miller, later of John M. White, and, now or formerly, of Robert P. & Regina A. Laporte (see the deed recorded with said Deeds at Book 14576, Page 226);
- Thence S. 74° 00' 59" E., 456.42 feet, by the stone wall, partially by the aforesaid land, now or formerly, of Robert P. & Regina A. Laporte, and partially by the adjoining land, formerly of Kenneth A. Snyder, later of John M. White, and, now or formerly, of Robert P. & Regina A. Laporte (see the deed recorded with said Deeds at Book 13964, Page 172 and see Lot E on the plan recorded as Plan 97 in Plan Book 394) to a drill-hole made at a point in the stone point at the southwesterly corner of the aforesaid land, now or formerly, of Sean & Kara Casten;

Thence S. 73° 08' 55" E., 280.00 feet, by the southerly line of land, now or formerly, of Sean & Kara Casten, to the iron pin first mentioned, being the point and place of beginning.

Containing 58.422 acres, more or less, out of the 66.47 acres shown upon a plan entitled "Land In Sterling, Mass. Surveyed For Clayton F. Mosher", dated April 1974, and prepared by Charles A. Perkins Co., Inc., signed Charles A. Perkins May 1, 1974, which plan is recorded with Worcester District Registry of Deeds as Plan 32 in Plan Book 398, the excluding 8.048 acres being shown upon a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Sterling (Worcester County), MA, Land Taking Plan For Watershed Protection", dated June 24, 2002, prepared by Andrysick Land Surveying, An Office of Acton Survey & Engineering, Inc., Douglas W. Andrysick, P.L.S. No. 34608, which plan shall be recorded with Worcester District Registry of Deeds, at a later date, to be made a part of this order, a copy of a portion of which is appended hereto as Exhibit A.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being most of the same premises described in a deed from Clayton F. Mosher and Beatrice E. Gleason to Roland Morin and Martha L. Burlingame, dated 7th June 1974 and recorded with Worcester District Registry of Deeds at Book 5511, Page 329.

The above-described property is represented upon the former Sterling Assessors Tax Maps dated 1947 and redrawn in 1977 as most of Parcel 8 on Map 31.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS

Roland Morin

Martha L. Morin, f. k. a. Martha L. Burlingame

AWARD

\$ 470,000.00

The Commission further V O T E D: to approve an award of damages in the amount of \$470,000, together with such damages and costs as required under General Laws, Chapter 79 Sections 6, 12, 39, and 44A.

100

Name		Address		City		State		Zip	
John Doe		123 Main St		New York		NY		10001	
Jane Smith		456 Elm St		Los Angeles		CA		90001	
Bob Johnson		789 Oak St		Chicago		IL		60601	
Alice Brown		101 Pine St		Houston		TX		77001	
David White		202 Cedar St		Phoenix		AZ		85001	
Mary Green		303 Birch St		Philadelphia		PA		19101	
James Black		404 Maple St		San Antonio		TX		78101	
Susan Miller		505 Elm St		Dallas		TX		75201	
Michael Davis		606 Oak St		San Diego		CA		92101	
Jennifer Wilson		707 Pine St		Austin		TX		78701	
Christopher Moore		808 Cedar St		Jacksonville		FL		32201	
Stephanie Taylor		909 Birch St		Fort Worth		TX		76101	
Daniel Anderson		1010 Maple St		Columbus		OH		43201	
Michelle Roberts		1111 Elm St		San Jose		CA		95101	
Kevin Clark		1212 Oak St		Indianapolis		IN		46201	
Nicole Lewis		1313 Pine St		San Francisco		CA		94101	
Brandon Hall		1414 Cedar St		Nashville		TN		37201	
Rachel King		1515 Birch St		Portland		OR		97201	
Gregory Wright		1616 Maple St		Denver		CO		80201	
Hannah Scott		1717 Elm St		Seattle		WA		98101	
Nathan Adams		1818 Oak St		Boston		MA		02101	
Olivia Baker		1919 Pine St		San Francisco		CA		94101	
Peter Campbell		2020 Cedar St		Phoenix		AZ		85001	
Quinn Evans		2121 Birch St		Dallas		TX		75201	
Ryan Foster		2222 Maple St		San Antonio		TX		78101	
Sophia Garcia		2323 Elm St		Austin		TX		78701	
Tyler Hernandez		2424 Oak St		Jacksonville		FL		32201	
Uma Ingram		2525 Pine St		Fort Worth		TX		76101	
Victor Jones		2626 Cedar St		Columbus		OH		43201	
Wendy Kelly		2727 Birch St		San Jose		CA		95101	
Xavier Lewis		2828 Maple St		Indianapolis		IN		46201	
Yara Martin		2929 Elm St		San Francisco		CA		94101	
Zoe Nelson		3030 Oak St		Phoenix		AZ		85001	

1. Report of Ms. McLaughlin, March 21, recommending that the Commission ratify the vote of the Commission at its meeting of February 6, 2003, and adopt an Order of Taking for acquisition of approximately 3.1 acres of land owned by Richard G. Schwartz, Trustee for the JWS Realty Trust, located in the Dorchester section of the City of Boston, and to approve an award of damages in the amount of \$900,000, together with such damages and costs as required under General Laws, Chapter 79 Sections 6, 12, 39, and 44A, and to further approve the funding of the environmental remediation and design planning of the site from Account No. 2420-1420, in accordance with the provisions of Chapter 236 of the Acts of 2000. The Commission further V O T E D: to ratify the vote of the Commission at its meeting of February 6, 2003, and adopt an Order of Taking for acquisition of approximately 3.1 acres of land owned by Richard G. Schwartz, Trustee for the JWS Realty Trust, located in the Dorchester section of the City of Boston.

**ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION**

Boston, March 27, 2003.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 15 of the Acts of 1996, Chapter 236 of the Acts of 2002 and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Dorchester District of the City of Boston in the County of Suffolk and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly side of Granite Avenue and the southerly side of Hill Top Street, and being numbered 138-140 Granite Avenue in the present numbering of said street, and being shown as the parcel marked "Roxbury Iron and Metal Co., Inc." on a plan of land entitled "Plan of Land in Boston, Dorchester, July 29, 1953, Walter R. Luby, Sur., Sheet 2", which plan is recorded with Suffolk County Registry of Deeds in Book 6888, Page 65, more particularly bounded and described as follows:

WESTERLY	by Granite Avenue by two lines measuring 81.51 feet and 218.19 feet respectively (see the Massachusetts Department of Public Works order of taking for Route 37-Granite Avenue, dated August 26, 1958 as recorded with said Deeds in Book 7337, Page 119 and the accompanying plan of the same date being Layout No. 4727 recorded therewith);
NORTHERLY	by Hill Top Street, a City of Boston public way, 531.34 feet;

NORTHEASTERLY

by land, formerly, of one Reddy, now or formerly, supposed to be, according to City Assessors Records, of New England Millwork, John Desimone & William Lynch General Partners, 144.63 feet;

EASTERLY

by land, formerly of the Milton Branch of the Old Colony Railroad, operated by the New York New Haven and Hartford Railroad, later property of the Penn Central Transportation Company, late of the Consolidated Rail Corporation (Conrail) and now of the Commonwealth of Massachusetts, Metropolitan District Commission, 602.79 feet (see the order of taking dated June 4, 1992 recorded with said Deeds on July 2, 1992 in Book 17574, Page 239 and the railroad plan entitled "Right of Way and Track Map Old Colony R.R. Co. Operated By the New York New Haven and Hartford R.R. Co., From Neponset To Mattapan, Station 0+0 to Station 53+14.86, City of Boston, State of Mass., Scale 1"= 100ft., June 30, 1915 Office of Valuation Engineer Boston Mass.", being sheet V5/24/25/1, a copy of which is on file in the Office of the General Counsel of the MDC, at Commission Headquarters, 20 Somerset Street, Boston Massachusetts).

Containing 135,484 square feet, more or less as shown upon the above cited recorded plan. The above-described premises are carried upon the City of Boston Tax Rolls as Ward 16 Parcel 4290 and are shown upon Boston Assessors Plan Ward 16078 as Block 136M.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Granite Avenue and/or Hill Top Street, which may be held by the supposed owner, as a result of his ownership of the above described property, and being the same premises described in two deeds from John W. Sax to Richard G. Schwartz, Trustee of the JWS Realty Trust under Declaration of Trust dated December 23, 1999 and recorded with said Deeds in Book 24557, Page 161, the first deed dated 23rd December 1999 and recorded with Said Deeds on December 30, 1999 in Book 24557, Page 171, and the second deed dated 4th January, 2000 and recorded with Said Deeds on January 6, 2000 in Book 24576, Page 336. (Note that each deed conveyed a one-half interest in the locus premises.)

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any

kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the City of Boston, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is either attached hereto or shall be recorded with said Deeds and made a part hereof.

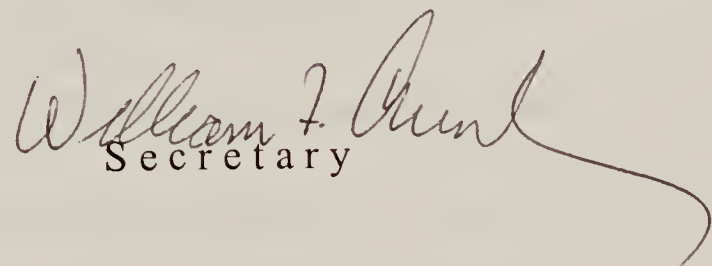
The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sums:

<u>OWNER</u>	<u>AWARD</u>
Richard G. Schwartz, Trustee of the JWS Realty Trust	\$ 900,000.00

The Commission further V O T E D: to approve an award of damages in the amount of \$900,000, together with such damages and costs as required under General Laws, Chapter 79 Sections 6, 12, 39, and 44A.

The Commission further V O T E D: to approve the funding of the environmental remediation and design planning of the site from Account No. 2420-1420, in accordance with the provisions of Chapter 236 of the Acts of 2000

Adjourned at 9:25 a.m., to meet on Thursday, April 3, 2003 at 9:00 a.m.


Secretary

Record of the Four Thousand Sixty Seventh (4067th) Meeting of the Metropolitan District Commission duly called and held at MDC Headquarters Building, 20 Somerset Street, Boston, Massachusetts, on Thursday, April 3, 2003.

Present, Acting Commissioner McKinney and Associate Commissioners Anzuoni, Elkort, Kahalas and Rollins.

The Records of the Commission Meeting held on March 20, 2003 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and DiRamio, March 4, recommending the following on Contract No. P02-2157-C1A, with Tasco Construction, Inc., for Rehabilitation of Fellsmere Pond, Malden –
 - (a) That work be accepted as completed as of August 31, 2002.
 - (b) That Estimate No. 3-Final, in the amount of \$237.50, be approved for payment.
 - (c) That reserve, in the amount of \$3,137.50, be approved for payment.
(Basis of Award - \$62,850.00)
(Amount to Date - \$62,750.00)
(Contract Performance Rating – 3.50)
(EEO Compliance – 3.40)
The Commission V O T E D: that the work of Tasco Construction, Inc., be and hereby is accepted as completed as of August 31, 2002.
The Commission further V O T E D: to approve Estimate No. 3-Final, in the amount of \$237.50, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of \$3,137.50, for payment
2. Report of Messrs. Faucher and Kirwin and Mrs. Graves Jones, March 25, recommending approval of an extension of time from May 1, 2003 to July 2, 2003, on Contract No. P02-2170-M1A, with Hi-Way Safety Systems, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC, due to the need to continue installation of thermoplastic markings for public safety.
The Commission V O T E D: to approve an extension of time from May 1, 2003 to July 2, 2003 as recommended by Messrs. Faucher and Kirwin and Mrs. Graves Jones in their report of March 25, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation
3. Report of Messrs. Faucher and Lenhardt, March 25, recommending approval of Extra Work Order No. 31 – for overhauling and replacing bearings to the Phase III electric motors - at a cost of \$8,242.81, on Contract No. P99-1986-C2A, with James A. Gross, Inc., for Repair of John J. Beades Drawbridge, Boston.

(At no increase in Contract cost as the extra work will be offset by unused quantities in Item No. 028-010 – open and concrete filled steel grating).

The Commission V O T E D: to approve Extra Work Order No. 31, at a cost of \$8,242.81

1. Report of Messrs. Faucher, DiPietro and Galvin, March 25, recommending approval of Amendment No. 3 – for an extension of time from April 7, 2003 to December 31, 2003, on Contract No. P00-2022-D1C, with Pennoni Associates, Inc., for Evaluation, Design and Construction Services for the Modification of Failing Subsurface Wastewater Disposal Systems at Various MDC Facilities, due to the need to complete design, permitting and construction of all required changes to the wastewater disposal systems at Georges Island and Camp Nihan.
The Commission V O T E D: Approved
2. Report of Messrs. Faucher, Lenhardt, Griffin and Mrs. O'Brien and Ms. Peterson, March 25, recommending approval of revisions in quantities on the following items on Contract No. PL-93-023-C2A, with D & C Construction Co., Inc., for Lower Neponset River Trail, Boston and Milton –

Item No. 02510-11	\$11,070.00
Soil Stabilized Pavement	
Item No. 02510-1	<u>\$13,750.00</u>
Bituminous Concrete Pavement	
Total - \$24,820.00	

Funding in the amount of \$11,070.00 available in Account No. 2420-8961 for Item No. 02510-11. No additional funding required for Item No. 02510-1 – funding in the amount of \$3,250.00 available in Item No. 01040-1 – Traffic Control Services and \$10,500.00 is available in Item No. 01042-1 - MBTA Work Force – for a total of \$13,750.00).
The Commission V O T E D: Approved.
3. Report of Messrs. Faucher, Misslin and Haider, March 28, submitting for approval Work Schedule, Project Summary, Project Justification and requesting permission to advertise Project No. P03-2209-M1A, for Maintenance and Service to Underwater Structures at Various Flood Control/Navigation Sites.
Estimated Cost - \$190,000.00 (FY04 - \$95,000.00 – FY05 - \$95,000.00)
Time for Performance – two years.
(Funding for this two year contract is contingent upon the appropriation of funds in Account No. 2440-0010).
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to advertise Project No. P03-2209-M1A, for Maintenance and Service to Underwater Structures at Various Flood Control/Navigation Sites
4. Report of Messrs. Faucher, Misslin and Haider, March 31, requesting approval of Work Schedule, Project Summary, Project Justification and authorization to advertise Project No. P03-2207-M1A, for Maintenance and Service of HVAC Systems at Various MDC Facilities.
Time for Performance FY04 and FY05.
Estimated Cost – FY04-\$77,500.00
FY05 - \$77,500.00

Funding contingent upon the appropriation of funds in Account No. 2440-0010.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P03-2207-M1A, for Maintenance and Service of HVAC Systems at Various MDC Facilities

1. Report of Messrs. Faucher, Misslin and Gabra, March 31, requesting approval of an extension of time from April 1, 2003 to May 15, 2003, on Contract No. P02-2143-M1A, with Boston Fuel Injection, Inc., for Regasketing of 4 Diesel Engines at Charles River and Amelia Earhart Dams, due to delays caused by near flood stages and asbestos removal.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from April 1, 2003 to May 15, 2003, as requested by Messrs. Faucher, Misslin and Gabra in their report of March 31, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation
2. Report of Messrs. Faucher and Thurlow March 26, on bids for 2003 and 2004 Arboricultural Improvements, Contract No. P00-2083-C2A.
(Messrs. Faucher and Thurlow recommend acceptance of the lowest bid received, that of Tree Technology & Landscape Co., Inc., of \$281,110.00).
The Commission V O T E D: to accept the lowest bid received, that of Tree Technology & Landscape Co., Inc., of \$281,110.00
3. Report of Messrs. Faucher, Griffin and Gode-von Aesch, March 28, requesting approval of the request of D & C Construction, Inc., to engage the services of Meridian Associates, Inc., as subcontractor for surveying work – at a cost of \$17,500.00 on Contract No. PL92-017-C3A, for Upper Charles River Reservation Restoration – Phase 3A.
The Commission V O T E D: Approved
4. Report of Messrs. Faucher, Carrigan and Machado, March 20, recommending approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 3 – for emergency repairs to pot holes on Soldiers Field Road and Boston University Bridge – at a cost of \$17,865.93 on Contract No. P02-2177-C1A, with D & R General Contracting Inc., for Resurfacing MDC Parkways at Various Locations throughout the Metropolitan District.
(At no increase in Contract cost as the extra work will be offset by unused quantities in Item Nos. 002-010 and 007-010).
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 3, on Contract No. P02-2177-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 3, at a cost of \$17,865.93
5. Report of Messrs. Faucher, Carrigan and Machado, March 28, recommending approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 1 – for repairing and rebuilding a collapsed concrete drainage culvert beneath the pavement of Lynn Fells Parkway, additionally, deteriorated concrete piping and manhole which required replacement to prevent flooding on land abutting the Parkway – at a cost of \$23,613.10 on Contract No. P02

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2177-C1A, with D & R General Contracting, Inc., for Resurfacing MDC parkways at Various Locations throughout the Metropolitan District.

(At no increase in Contract cost as the extra work will be offset by unused quantities in Item Nos. 002-010 – 0" – 4" Cold Planing and 007-010 – Bituminous Concrete.

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 1, on Contract No. P02-2177-C1A

The Commission further V O T E D: to approve Extra Work Order No. 1, at a cost of \$23,613.10

1. Report of Messrs. Faucher, Misslin and Balicki, March 19, on bids for Swimming Pool Painting, Various MDC Locations, Contract No. P03-2200-C1A.
(Messrs. Faucher, Misslin and Balicki recommend acceptance of the lowest bid received, that of B.S.A. Painting Co., Inc., of \$111,479.60).
The Commission V O T E D: to accept the lowest bid received, that of B.S.A. Painting Co., Inc., of \$111,479.60
2. Report of Messrs. Faucher, Misslin and Balicki, March 21, recommending that the Commission approve an increase in the engineer's estimate of \$618,400.00 to \$741,700.00, on Contract No. P03-2205-M1A, for Maintenance of Pool Filtration Systems.
(Messrs. Faucher, Misslin and Balicki further recommend acceptance of the only bid received, that of Allied Weatherproofing Co., Inc., of \$741,700.00).
Funding from Account Nos. 2440-2016 and 2440-0010.
The Contract is for a two year period and allows for cancellation of the second year if sufficient funds are not available through the annual budgetary process.
The Commission V O T E D: to approve an increase in the engineer's estimate of \$618,400.00 to \$741,700.00, on Contract No. P03-2205-M1A, for Maintenance of Pool Filtration Systems.
The Commission further V O T E D: to accept the only bid received, that of Allied Weatherproofing Co., Inc., of \$741,700.00, as recommended by Messrs. Faucher, Misslin and Balicki in their report of March 21, 2003.

Action was taken upon the following matters relating to the Division of Watershed Management:

3. Report of Messrs. McGinn and Scannell, March 19, on proposals for the purchase of forest products located on the Wachusett Reservoir Watershed.
(Messrs. McGinn and Scannell recommend:
Timber Lot No. 5186 - Wachusett Reservoir Watershed in the Town of Boylston, containing approximately 27,446 board feet of timber and 102 cords of fuelwood. Acceptance of the highest qualified bidder, that of Bosse Logging, 40 Talcott Avenue, Gardner, MA 01440 of \$4,645.00.
The MDC Forester estimated the lowest acceptable bid for this lot to be \$4,000.00.
Timber Lot No. 5187 -Wachusett Reservoir Watershed in the Town of West Boylston, containing approximately 33,941 board feet of timber, 62 cords of fuelwood and 48 cords of pulp.
Acceptance of the highest qualified bidder, that of New England Forest Products, P.O. Box 399, Gilbertville, MA 01031 of \$4,300.00. The MDC Forester estimated the lowest acceptable bid for this lot to be \$2,000.00.

Timber Lot No. 5188 - Wachusett Reservoir Watershed in the Town of Holden, containing approximately 55,850 board feet of timber, 113 cords of fuelwood and 32 cords of pulp. Acceptance of the highest qualified bidder, that of Burco, Inc., 277 Chestnut Street, Hudson, MA 01749 of \$8,519.00. The MDC Forester estimated the lowest acceptable bid for this lot to be \$6,200.00.

The Commission V O T E D: Approved as recommended by Messrs. McGinn and Scannell in their report of March 19, 2003.

1. Report of Messrs. McGinn and Pula, March 19, on proposals for the purchase of forest products located on the Ware River and Quabbin Reservoir Watersheds.
(Messrs. McGinn and Pula recommend:
Timber Lot No. 1012 - Quabbin Reservoir Watershed in the Town of Ware, containing approximately 233,456 board feet of timber, 132 cords of fuelwood and 197 cords of pulp. Acceptance of the highest qualified bidder, that of King Timber Harvesting, 15 Ragged Hill Road, Hubbardston, MA 01452 of \$33,950.00. The MDC Forester estimated the lowest acceptable bid for this lot to be \$20,300.00.
Timber Lot No. 3027A - Quabbin Reservoir Watershed in the Town of New Salem, containing approximately 276,570 board feet of timber, 116 cords of fuelwood and 365 cords of pulp. Acceptance of the highest qualified bidder, that of New England Forest Products, P.O. Box 399, Gilbertville, MA 01031 of \$24,999.99. The MDC Forester estimated the lowest acceptable bid for this lot to be \$20,000.00.
Timber Lot No. 3048A - Quabbin Reservoir Watershed in the Town of Petersham, containing approximately 64,744 board feet of timber, 463 cords of fuelwood and 65 cords of pulp. Acceptance of the highest qualified bidder, that of New England Forest Products, P.O. Box 399, Gilbertville, MA 01031 of \$6,500.00. The MDC Forester estimated the lowest acceptable bid for this lot to be \$5,600.00.
Timber Lot No. 3051 - Quabbin Reservoir Watershed in the Town of New Salem, containing approximately 184,242 board feet of timber, 25 cords of fuelwood and 141 cords of pulp. Acceptance of the highest qualified bidder, that of New England Forest Products, P.O. Box 399, Gilbertville, MA 01031 of \$15,150.00. The MDC Forester estimated the lowest acceptable bid for this lot to be \$9,000.00.
Timber Lot No. 3052 - Quabbin Reservoir Watershed in the Town of New Salem, containing approximately 191,601 board feet of timber, 217 cords of fuelwood and 202 cords of pulp. Acceptance of the highest qualified bidder, that of King Timber Harvesting, 15 Ragged Hill Road, Hubbardston, MA 01452 of \$26,761.00.
The MDC Forester estimated the lowest acceptable bid for this lot to be \$23,000.00. Timber Lot No. 4296A - Ware River Watershed in the Town of Barre, containing approximately 36,925 board feet of timber, 43 cords of fuelwood and 111 cords of pulp. Acceptance of the highest qualified bidder, that of New England Forest Products, P.O. Box 399, Gilbertville, MA 01031 of \$2,500.00. The MDC Forester estimated the lowest acceptable bid for this lot to be \$1,500.00.
Timber Lot No. R12ANQ - Quabbin Reservoir Watershed in the Town of New Salem, containing approximately 34,360 board feet of timber and 10 cords of pulp. Rejection of the two bids received because they were below the lowest acceptable bid set by the forester. The MDC Forester estimated the lowest acceptable bid for this lot to be \$5,400.00.

The Commission V O T E D: Approved as recommended by Messrs. McGinn and Pula, in their report of March 19, 2003

1. Report of Messrs. McGinn and Scannell, March 6, requesting approval of the Sudbury Reservoir Watershed System Public Access Plan Update and the new public access policies outlined therein.
The Commission V O T E D: Approved
2. Report of Messrs. McGinn and Gifford, March 31, recommending that work be accepted as completed as of December 15, 2002 on Contract No. WM03-00-1-M1A, with Lipinski & Sons, Inc., for Electrical Contract.
(Basis of Award - \$8,670.00)
(Final Cost - \$8,670.00)
(Contract Performance Rating 4.80)
The Commission V O T E D: that the work of Lipinski & Sons, Inc., Contractor under Contract No. WM03-00-1-M1A, be and hereby is accepted as completed as of December 15, 2002

Action was taken upon the following matters relating to the Office of Planning:

3. Report of Mrs. O'Brien and Mr. Thurlow, March 20, requesting approval of Project Summary, Work Schedule, Project Justification and authorization to procure proposals for Project No. PL0-0070-M3A, for Landscape Maintenance of Paul Revere Park, Charlestown.
Duration of Project – May 2003 through October 2003.
Estimated Cost - \$25,000.00.
Funding from Account No. 2448-0052.
The Commission V O T E D: Held Over.
4. Report of Mrs. O'Brien, March 31, recommending approval of Amendment No. 2 – increasing funding by \$199,983.00 on Contract No. P95-038-D2A. with Comprehensive Environmental, Inc., for North Point Park – for a total of \$559,494.25.
(Mrs. O'Brien further requests authorization for Commissioner McKinney to execute the Amendment on behalf of the Commission).
The Commission V O T E D: Approved

Action was taken upon the following matters relating to the Office of General Counsel:

5. Report of Ms. Murphy, April 1, recommending that the Commission approve the fee of \$300 for a Special Use Permit to be issued to the Cambridge Center for Adult Education, a non-profit organization, for the use of one tennis court at Beaver Brook Reservation, Waltham, Massachusetts, for tennis courses to be offered for a total of fourteen hours per week from March 31, 2003, through April 20, 2003.
The Commission V O T E D: Approved
6. Report of Mr. Gray, April 2, recommending that the Commission ratify the Grant of Location issued to Com/Energy Steam Company by the Commission at its meeting of October 1, 1992,

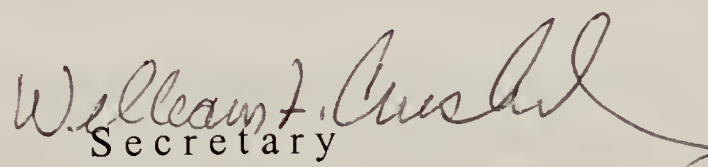
and approve the change of the name of the Grantee to The President and Trustees of Harvard College, to the extent and upon such terms as set forth within said Grant of Location, for the use of an underground steam line within property under the care, custody and control of the Commission in Western Avenue, from Memorial Drive in the City of Cambridge to Soldiers Field Road in the City of Boston, effective upon the date of the transfer of the record title to the steam and electric generating facility located at 46 Blackstone Street, Cambridge, Massachusetts; and further, approve as compensation a mitigation package of services to be rendered on behalf of the Commission by The President and Trustees of Harvard College, in an amount not to exceed \$50,000, which services shall be as determined by the Acting Commissioner in consultation with the appropriate staff of the Commission.

The Commission V O T E D: to ratify the Grant of Location issued to Com/Energy Steam Company by the Commission at its meeting of October 1, 1992.

The Commission further V O T E D: to approve the change of the name of the Grantee to The President and Trustees of Harvard College, to the extent and upon such terms as set forth within said Grant of Location, for the use of an underground steam line within property under the care, custody and control of the Commission in Western Avenue, from Memorial Drive in the City of Cambridge to Soldiers Field Road in the City of Boston, effective upon the date of the transfer of the record title to the steam and electric generating facility located at 46 Blackstone Street, Cambridge, Massachusetts.

The Commission further V O T E D: to approve as compensation a mitigation package of services to be rendered on behalf of the Commission by The President and Trustees of Harvard College, in an amount not to exceed \$50,000, which services shall be as determined by the Acting Commissioner in consultation with the appropriate staff of the Commission

Adjourned at 9:20 a.m., to meet on Thursday, April 10, 2003 at 9:00 a.m.


Secretary

Record of the Four Thousand Sixty Eighth (4068th) Meeting of the Metropolitan District Commission duly called and held at MDC Headquarters Building, 20 Somerset Street, Boston, Massachusetts, on Thursday, April 10, 2003.

Present, Acting Commissioner McKinney and Associate Commissioners Anzuoni, Elkort, Kahalas and Rollins.

The Records of the Commission Meeting held on March 27, 2003 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Lenhardt, March 25, recommending approval of Extra Work Order No. 29 – for adding additional weight to the Phase III counterweights – at a cost of \$93,428.93, on Contract No. P99-1986-C2A, with James A. Gross, Inc., for Repair of John J. Beades Drawbridge, Boston.
Funding from Account No. 2490-2001.
The Commission V O T E D: to approve Extra Work Order No. 29, in the amount of \$93,428.93.
2. Report of Messrs. Faucher, Misslin and Haider, March 28, recommending approval of Extra Work Order No. 3 – for emergency replacement of 10 expansion joints for steam pipes on fifth floor, 20 Somerset St., Boston – at a cost of \$7,500.00, on Contract No. P01-2125-M1A, with Patrick J. Kennedy & Sons, Inc., for Service and Maintenance of HVAC Systems at Various MDC Facilities.
Funding from Account No. 2440-8952.
The Commission V O T E D: to approve Extra Work Order No. 3, in the amount of \$7,500.00.
3. Report of Messrs. Faucher, Carrigan and MacLean, April 2, submitting for approval Work Schedule, Project Summary, Project Justification and requesting permission to solicit a minimum of three bids from MDC approved water line repair contractor for Contract No. P03-2215-C1A, for Emergency Water Line Repairs on Storrow Drive.
Estimated Cost - \$9,000.00.
Funding from Account No. 2490-8881.
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to solicit a minimum of three bids from MDC approved water line repair contractor for Contract No. P03-2215-C1A, for Emergency Water Line Repairs on Storrow Drive
4. Report of Messrs. Faucher, Misslin and Martinez, April 1, submitting for approval Project Summary, Work Schedule, Project Justification and requesting authorization to advertise Project No. P03-2220-C1A, for Deleading the Norcom Building, Saugus.
Estimated Cost - \$25,000.00.
Time for Performance – three weeks.
Funding from Account No. 2440-7991.
The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P03-2220-C1A, for Deleading the Norcom Building, Saugus.

1. Report of Messrs. Faucher, Misslin and Haider, March 31, submitting for approval Work Schedule, Project Summary, Project Justification and requesting permission advertise Project No. P03-2208-M1A, for Maintenance and Service of HVAC Systems at Various Flood Control/Navigation Sites.
Estimated Cost – FY04 - \$59,000.00.
FY05 - \$59,000.00.
The two year Contract will be contingent upon appropriation of funds in Account No. 2440-0010 for FY04 and FY05.
The Commission V O T E D: Approved.
The Commission further V O T E D: permission advertise Project No. P03-2208-M1A, for Maintenance and Service of HVAC Systems at Various Flood Control/Navigation Sites
2. Report of Messrs. Faucher, Misslin and Balicki, April 4, recommending approval of Amendment No. 2 for an extension of time from April 30, 2003 to December 31, 2003, on Contract No. P00-2074-D1A, with BETA Group, Inc., for Floor Drains, Continued Use or Closure, due to need to complete remaining plans and for a full construction season to complete the work scheduled to begin.
The Commission V O T E D: Approved.
3. Report of Messrs. Faucher, Misslin and Kane, April 7, requesting approval of an extension of time from April 15, 2003 to May 17, 2003, on Contract No. P02-2171-C1A, with Shaw Construction Corporation, for Reconstruction of the Bernie King Pavilion, Nantasket Avenue, Hull, due to need to complete project.
(The extension is requested under the provisions of Article XXII and in no way affects the liquidated damages provision of Article XXI that may be due the Commission. This extension shall not operate as a waiver on the part of the Commission or in any of its rights under this contract).
The Commission V O T E D: to approve an extension of time from April 15, 2003 to May 17, 2003, as requested by Messrs. Faucher, Misslin and Kane, in their report of April 7, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation and that this extension of time shall in no way affect the liquidated damages provision of Article No. XXI, that may be due the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract.

Action was taken upon the following matters relating to the Watershed Management Division:
4. Report of Mr. Pula, April 2, submitting for Commission approval, season and fee schedule for the 2003 fishing season at Quabbin Reservoir.
The Commission V O T E D: to approve the season and fee schedule for the 2003 fishing season at Quabbin Reservoir, as follows –

A. FISHING SEASON DATES

The season for boat fishing (weather permitting) and shore fishing will be as follows:
Boat Launch Area #1 (Gate 8), Boat Launch Area #2 (Gate 31), and Boat Launch Area #3 (Gate 43) will open on Saturday, April 19 and close on Saturday, October 18, 2003.

B. DAYS OPEN

All three Boat Launch Areas will be open five days per week, Thursday through Monday, closed Tuesday and Wednesday, from April 19 to October 18. A limited number of boats and motors will be available for rental at each area.

C. OPENING HOURS

-April 19 - 5:00 A.M. (due to large crowds on opening day)
-April 20 - October 18 - 6:00 A.M.

D. CLOSING HOURS

April 19 - September 1
 Parking lot closes at 7:00 PM
 Boats off water at 6:00 PM
September 4 - October 18
 Parking lot closes at 6:00 P.M.
 Boats off water at 5:00 P.M.

E. BOAT RENTAL RATES

<u>Rentals</u>	<u>Afternoon (after 2:00 P.M.)</u>	<u>Full Day</u>
Boat	\$5.00	\$10.00
Motor (inc. 3 gallons gas)	\$10.00	\$20.00
Total	\$15.00	\$30.00

Senior Citizens (65 or older) Monday through Friday except Holidays.
Handicapped Citizens pay half price at all times.

<u>Rentals</u>	<u>Afternoon (after 2:00 P.M.)</u>	<u>Full Day</u>
Boat	\$2.50	\$5.00
Motor (inc. 3 gallons gas)	\$5.00	\$10.00
Total	\$7.50	\$15.00

F. PARKING/LAUNCHING FEES

Parking:	Per Vehicle	\$4.00
	Senior Citizen/	\$2.00
	Handicapped Citizen	

Private Boat Launching:	Per person	\$2.00
	Senior Citizen/	\$1.00
	Handicapped Citizen	

1. Report of Messrs. McGinn and Clifford, March 27, requesting approval of Extra Work Order No. 1 – due to the need to add additional fill material for the septic system in order to meet DEP inspection and approval criteria – at a cost of \$950.00, on Contract No. WM03-003-M1A, for Stillwater Farm Education and Interpretive Site in Sterling, with Flynn Construction Company. Funding from Account No. 2420-8960.
The Commission V O T E D: to approve Extra Work Order No. 1, at a cost of \$950.00.
2. Report of Messrs. McGinn and Church, March 27, recommending the following on Contract No. WM03-076-S1A, with BioDiversity Research Institute, for the Study of Common Loons on MDC Waterbodies –
(a) That work be accepted as completed as of September 30, 2002.
(b) That Final Invoice, in the amount of \$2,250.00, be approved for payment.
(Contract Performance Rating – 9 with 10 being excellent)
The Commission V O T E D: that the work of BioDiversity Research Institute, Contractor under Contract No. WM03-076-S1A, be and hereby is accepted as completed as of September 30, 2002.
The Commission further V O T E D: to approve Final Invoice, in the amount of \$2,250.00, for payment

Action was taken upon the following matters relating to the Office of Planning:

3. Report of Mrs. O'Brien and Mr. Thurlow, March 20, requesting approval of Project Summary, Work Schedule, Project Justification and authorization to procure proposals for Project No. PL0-0070-M3A, for Landscape Maintenance of Paul Revere Park, Charlestown.
Duration of Project – May 2003 through October 2003.
Estimated Cost - \$25,000.00.
Funding from Account No. 2448-0052.
At this point, Mrs. O'Brien appeared before the Commission and explained that at the request of the Executive Office of Environmental Affairs, she was requesting that the Commission approve the inclusion of the Department of Environmental Management controlled City Square Park as part of the MDC project. She noted that by so doing, a more favorable bid price could be received.
The solicitation will be for two distinct contracts with the cost of the MDC's Paul Revere segment not-to-exceed \$25,000.00 and the cost of the City Square segment to be determined by DEM.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to procure proposals for Project No. PL0-0070-M3A, for Landscape Maintenance of Paul Revere Park, Charlestown and the Department of Environmental Management controlled City Square Park.
4. Report of Mrs. O'Brien and Mr. Corsi, April 3 requesting approval and execution of Amendment No. 2 – for additional services for phasing and repackaging the design work and for designing additional site improvements beyond the scope of original project budget – at a cost not-to-exceed \$87,769.27, on Contract No. PL00-067-D1B, with Wallace Floyd Design Group, for the Design of Magazine Beach Site Improvements.
Funding from Account No. 2448-0068 – (Magazine Beach, Cambridge Enhancement Trust).

The Commission V O T E D: Approved.

The Secretary then submitted for signature of Amendment No. 2, dated April 10, 2003, on Contract No. PL00-067-D1B, with Wallace Floyd Design Group, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following Various Matter:

1. Report of Mrs. Overton Bussell, April 7, requesting approval of the following schedule of fees for certain MDC facilities –
Lighted Field Fee - \$40.00 per hour.
Ball Field Seasonal Permit Fee - \$100.00 per season.
Boat Mooring Fee for Charles River - \$120.00 per season for 20 foot boat.
Additional Boat Mooring Fee - \$6.00 per foot after 20 foot, up to a maximum boat length of 35 feet.
The Commission V O T E D: Approved as requested by Mrs. Overton Bussell in her report of April 7, 2003.

Action was taken upon the following matter relating to the Office of General Counsel:

1. Report of Mr. Gray, April 9, recommending that the Commission approve and issue a; License to The Boston Red Sox Baseball Club Limited Partnership c/o Paul Revere Transportation LLC, to operate a free shuttle service along portions of certain MDC roadways on those days professional baseball games are played, from April 11, 2003 through October 31, 2003, or to the end of the remaining professional baseball season, which may include Play-Off and World Series games, whichever date may last occur, and to authorize Commissioner McKinney to execute said License and any and all other documents which may be required on behalf of the Commission.
The Commission V O T E D: to approve and issue a License to The Boston Red Sox Baseball Club Limited Partnership c/o Paul Revere Transportation LLC, to operate a free shuttle service along portions of certain MDC roadways on those days professional baseball games are played, from April 11, 2003 through October 31, 2003, or to the end of the remaining professional baseball season, which may include Play-Off and World Series games, whichever date may last occur.
The Commission further V O T E D: to authorize Commissioner McKinney to execute said License and any and all other documents which may be required on behalf of the Commission.

Adjourned at 9:30 a.m., to meet on Thursday, April 17, 2003 at 9:00 a.m.


Secretary

Record of the Four Thousand Sixty Ninth (4069th) Meeting of the Metropolitan District Commission duly called and held at MDC Headquarters Building, 20 Somerset Street, Boston, Massachusetts, on Thursday, April 17, 2003.

Present, Acting Commissioner McKinney and Associate Commissioners Anzuoni, Elkort, Kahalas and Rollins.

The Records of the Commission Meeting held on April 3, 2003 were read and approved.

The Secretary submitted for signature the following paper which was signed the Commissioner and three Associate Commissioners:

1. Contract No. P03-2205-M1A, dated April 17, 2003, with Allied Weatherproofing Co., Inc., for Maintenance of Pool Filtration Systems.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Misslin and Sodano, April 2, requesting approval and authorization to solicit a minimum of three bids from MDC approved water line repair Contractors for Contract No. P03-2214-C1A, for Water Line Repairs at the Herter Park Center, Brighton. Estimated Cost - \$7,200.00.
Funding from Account No. 2440-7991.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to solicit a minimum of three bids from MDC approved water line repair Contractors for Contract No. P03-2214-C1A, for Water Line Repairs at the Herter Park Center, Brighton.
3. Report of Messrs. Faucher, Misslin and Haider, April 10, on bids for Maintenance and Service to Hydraulic Systems at Various Flood Control/Navigational Sites, Contract No. P02-2167-M3A.
(Messrs. Faucher, Misslin and Haider recommend acceptance of the only bid received, that of The Entwistle Company, of \$183,520.00).
The Commission V O T E D: to accept the only bid received, that of The Entwistle Company, of \$183,520.00
4. Report of Messrs. Faucher and McCalla, April 3, recommending approval of revisions in quantities on Contract No. P02-2139-M2A, with Coviello Electric & General Contracting Co., Inc., for Maintenance of Street Lighting Systems on MDC Parkways, Roadways and Properties at Various Locations, as follows

Item No. 003-010	\$4,000.00
Street Light Transformer Base	
Item No. 005-010	\$1,000.00
250 Watt Mercury Lamp	
Item No. 016-010	\$6,000.00
250 Watt Metal Halide Fixtures	

THE UNIVERSITY OF CHICAGO

DEPARTMENT OF THE HISTORY OF ARTS

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Item No. 017-010	\$1,620.00
400 Watt Metal Halide Fixtures	
Item No. 028-010	\$23,000.00
Material Component and Parts	
Item No. 029-010	<u>\$3,380.00</u>
Traffic Control Services	
Total - \$39,000.00	

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 023-010 and 024-010, Electrician's Helper and Vehicles).
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Griffin, April 10, requesting approval of Assignment No. 3 – for installation of temporary shoring at Neponset River Bridge, Quincy – at a cost of \$21,505.00 and approval of Revision in Quantity No. 1 on Item No. 23 – Temporary Shoring – at a cost of \$125.76, a total cost of \$21,630.76, on Agency Master Service Agreement, Contract No. P02-2158-C1A, for Emergency Bridge Repairs, with N.E.L. Corporation.
Funding for Assignment No. 3 is available in Account No. 2490-8881.
No additional funding is required for Revision in Quantity No. 1, as the revision will be offset by unused quantities in Item No. 010-009 – Membrane Waterproofing).
The Commission V O T E D: to approve Assignment No. 3 – for installation of temporary shoring at Neponset River Bridge, Quincy – at a cost of \$21,505.00 and Revision in Quantity No. 1 on Item No. 23 – Temporary Shoring – at a cost of \$125.76, for a total cost of \$21,630.76, on Agency Master Service Agreement, Contract No. P02-2158-C1A.
2. Report of Messrs. Faucher, Misslin and Kane, April 2, requesting approval of Extra Work Claim No. 1, in the amount of \$18,336.37, for construction of concrete wall and excavation and removal and demolition of unknown concrete pier foundations under the 8-Line brick wall, on Contract No. P02-2171-C1A, with Shaw Construction, Inc., for Reconstruction of Bernie King Pavilion, Hull.
Funding is available in Account No. 2440-7991.
The Commission V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 1, in the amount of \$18,336.37
3. Report of Messrs. Faucher and Lenhardt, July 9, 2002, recommending approval of Amendment No. 2, at a cost of \$21,600.00, for a comprehensive traffic study for the possibility of closing and removing traffic ramps leading to and from the Storrow Drive Tunnel, on Contract No. P93-1671-D1A, for Design Services for Storrow Drive Tunnel Rehabilitation, with Simpson, Gumpertz & Heger, Inc.
Funding is available in Account No. 2440-9990.
The Commission V O T E D: Approved
4. Report of Messrs. Faucher, Misslin and Haider April 11, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P03-2210-M1A, for Replacement of Hydraulic Cylinders Amelia Earhart Dam.

Estimated Cost - \$68,000.00.

Time for Performance – approximately three months from Notice to Proceed.

Funding – contingent upon appropriation of funds in Account No. 2440-7993.

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P03-2210-M1A, for Replacement of Hydraulic Cylinders Amelia Earhart Dam

1. Report of Messrs. Faucher, Misslin and Haider, April 11, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P03-2211-M1A, for Hydraulic Oil Change and Reservoir Replacement at Amelia Earhart and Charles River Dam.
Estimated Cost - \$106,000.00.
Time for Performance – approximately six months form Notice to Proceed.
Funding -contingent upon appropriation of funds for Account No. 2440-7993.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P03-2211-M1A, for Hydraulic Oil Change and Reservoir Replacement at Amelia Earhart and Charles River Dam.
2. Report of Messrs. Faucher, Misslin and Kane, April 2, requesting approval of Extra Work Order No. 10 – for time and materials – at a cost of \$13,609.69, on Contract No. P02-2171-C1A, with Shaw Construction, Inc., for Reconstruction of the Bernie King Pavilion.
Funding from Account No. 2440-7991.
The Commission V O T E D: to approve Extra Work Order No. 10 at a cost of \$13,609.69
3. Report of Messrs. Faucher, Misslin, Gabra, Balicki and Martinez, March 26, recommending that the Commission accept the only bid received, that of Eaglepoint Builders, Inc., of \$48,780.00 and award and execute Contract No. P03-2204-C1A, for Miscellaneous Pool and Bathhouse Repairs, at Various Locations.
The Commission V O T E D: to accept the only bid received and award Contract No. P03-2204-C1A, for Miscellaneous Pool and Bathhouse Repairs, at Various Locations to Eaglepoint Builders, Inc., in the amount of \$48,780.00.
The Secretary then submitted for signature Contract No. P03-2204-C1A, dated April 17, 2003, with Eaglepoint Builders, Inc., which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matters relating to the Watershed Management Division:
4. Report of Messrs. McGinn and Sciortino, April 10, requesting approval of Amendment No. 2 to Contract No. WM02-060-S1A, with PARE Engineering Corporation, for Underwater Engineering Inspection of Dams, Spillways and Ancillary Structures, which increases the upset limit by \$49,996.29, for additional scope of work which includes preparation and filing of Notice of Intent to the Southborough Conservation Commission and Mass DEP, independent confirmatory dive inspection services and attendance at a preconstruction conference and periodic site construction progress meetings and an extension of time from June 30, 2003 to

December 31, 2003, for providing permitting phase and limited on-site construction phase services.

Funding from Account No. 2420-2012.

The Commission V O T E D: Approved

Action was taken upon the following Various Matter:

1. Report of the Concession Selection Committee, April 11, recommending award of the Food Service Concession at the Hatch Memorial Shell, Charles River Esplanade, Boston, to Boston Event Specialists Company, Inc., for a period of five years with compensation to the Commission at \$126,000.00 for each of the five years of the Permit.
In addition, Boston Event Specialists Company, Inc. will pay the Commission 25% of gross revenues over \$500,000.00 for each year of the Permit. Compensation shall be paid in arrears monthly during the period of operation.
The Commission V O T E D: to award the Food Service Concession at the Hatch Memorial Shell, Charles River Esplanade, Boston, to Boston Event Specialists Company, Inc., for a period of five years with compensation to the Commission at \$126,000.00 for each of the five years of the Permit. In addition, Boston Event Specialists Company, Inc. will pay the Commission 25% of gross revenues over \$500,000.00 for each year of the Permit. Compensation shall be paid in arrears monthly during the period of operation

Adjourned at 9:25 a.m., to meet on Thursday, April 24, 2003 at 9:00 a.m.


Secretary

1. Report of Messrs. Faucher, Carrigan and MacLean, April 18, submitting for approval Work Schedule, Project Summary, Project Justification and requesting permission to advertise Project No. P03-2189-C1A, for Catch Basins and Manholes Adjusted or Rebuilt to Grade throughout the Metro Area.
Time for Performance – six weeks...
Estimated Cost - \$100,000.00.
Funding from Account No. 2490-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to advertise Project No. P03-2189-C1A, for Catch Basins and Manholes Adjusted or Rebuilt to Grade throughout the Metro Area.
2. Report of Messrs. Faucher, Carrigan and Machado, April 18, recommending approval of Extra Work Claims on Contract No. P02-2177-C1A, with D & R General Contracting, Inc., for Resurfacing MDC Roadways at Various Locations throughout the Metropolitan District, as follows

Extra Work Claim No. 1	\$3,150.00
for removing 42 cubic yards of rock/ledge	
Extra Work Claim No. 2	\$5,000.00
Stump removal and disposal	
Extra Work Claim No. 3	\$2,000.00
Cap water line	
Extra Work Claim No. 4	<u>\$1,100.00</u>
Placement of special manhole	
Total - \$11,250.00	

(At no increase in Contract cost as the claims will be offset by unused quantities in Item Nos. 002-010 and 007-010).
The Commission V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 1, at a cost of \$3,150.00.
The Commission further V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 2, at a cost of \$5,000.00.
The Commission further V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 3, at a cost of \$2,000.00.
The Commission further V O T E D: to waive the provisions of Article XVIII relative to Claims for Payment for Extra Work and approve Extra Work Claim No. 4, at a cost of \$1,100.00.
3. Report of Messrs. Faucher, Misslin and Sodano, April 16, requesting approval of a revision in quantities on Item No. 02930-4 – top soil spread at a cost of \$24,000.00 on Contract No. PL95-031-C1A, with Fleming Brothers, Inc., for Construction of Abigail Adams Park, Back River Reservation, Weymouth.
Funding from Account No. 2440-2016.
The Commission V O T E D: Approved.
4. Report of Messrs. Faucher, Misslin and Sodano, April 4, requesting approval of Alteration No. 1 – for relocating the lighting electrical enclosure and buried electrical conduits – at a cost of \$1,961.00 (funds donated by the Town of Weymouth) to Extra Work Order No. 3 (installation of 4 light poles and associated wiring at Abigail Adams Park), on Contract No. PL95-031-C1A,

with Fleming Brother, Inc., for Construction of Abigail Adams Park, Back River Reservation, Weymouth.

Funds available in Account No. 2448-0052.

The Commission V O T E D: to approve Alteration No. 1, at a cost of \$1,961.00.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Baratta, January 31, requesting approval of Alterations, Work Claims and a Revision in Quantities on Contract No. WM97-061-C3H (97-3H), with C.J.P. & Sons, for Fort Sumter/Center/Davis Hill – East Sewers, Holden, as follows –

ALTERATIONS

Alteration No. 3	\$8,023.12
for cathodic protection of a sewer line under the railroad at Industrial Drive	
Alteration No. 4	\$25,377.54
for replacing access hatches installed within the roadway to service pumping station wet wells for the River Street and Winthrop Lane Pumping Station	
Alteration No. 5	\$1,675.21
for constructing a stairway to access Winthrop Lane Pumping Station	

EXTRA WORK CLAIMS

Extra Work Claim No. 2	\$18,962.10
for extending underground electrical service to pumping stations on Quaker Road, Main Street and Winthrop Lane from pumping station sites to the terminal service locations left by Holden Municipal Light Department	
Extra Work Claim No. 3	\$2,116.04
to repair a settlement within the roadway on Quinapoxet Street	

REVISION IN QUANTITIES

Revision in Quantity No. 6 (**CREDIT TO THE COMMISSION**) \$54,791.61
Due to normal variations in field conditions

Total will increase the upset limit of the Contract from \$7,168,971.91 to \$7,170,334.31.
Funding from Account No. 2420-4994.

The Commission V O T E D: to approve Alteration No. 3, in the amount of \$8,023.12.

The Commission further V O T E D: to approve Alteration No. 4, in the amount of \$25,377.54.

The Commission further V O T E D: to approve Alteration No. 5, in the amount of \$1,675.21.

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1. The first part of the paper discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the success of any business or organization. The author provides several examples of how poor record-keeping can lead to financial loss and legal complications.

2. In the second part, the author explores the various methods used to collect and analyze data. This section includes a detailed discussion of statistical techniques and their application in different fields. The author also mentions the importance of using reliable sources of information and the need for critical thinking when interpreting data.

3. The third part of the paper focuses on the role of technology in modern business operations. It highlights how advancements in computer technology have revolutionized the way companies manage their resources and interact with customers. The author discusses the benefits of automation and the challenges associated with integrating new technologies into existing systems.

4. Finally, the author concludes by emphasizing the need for continuous learning and adaptation in a rapidly changing world. The paper suggests that businesses should invest in training and development to stay competitive and innovative. The author also encourages readers to stay informed about the latest trends and technologies in their respective fields.

The Commission further V O T E D: to waive the provisions of Article XVIII relative Claims for Payment for Extra Work and approve Extra Work Claim No. 2, in the amount of \$18,962.10.

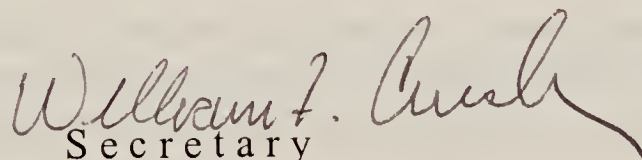
The Commission further V O T E D: to waive the provisions of Article XVIII relative Claims for Payment for Extra Work and approve Extra Work Claim No. 3, in the amount of \$2,116.04.

The Commission further V O T E D: to approve Revision in Quantity No. 6, a credit to the Commission in the amount of \$54,791.61.

Action was taken upon the following Various Matters:

1. Report of Mrs. Overton Bussell and Mr. Murphy, March 11, requesting approval of a Contract in an amount not-to-exceed \$1,848.00, with National Environmental Services, Inc., for removal of three trucks of oil which posed a significant threat to the environment and health and safety of the public from MDC property and disposal in accordance with all rules and regulations. Funding from Account No. 2440-7994.
The Commission V O T E D: Approved
2. Report of Mr. Jewett, April 23, on behalf of the Consultant Selection Committee requesting selection of Bourne Consulting Engineering, for Contract No. PL93-023-D3A, for Pope John Paul II Park – Phase II.
Compensation - \$100,000.00 on a cost plus fixed fee basis.
Time for Performance – eighteen months.
Mr. Jewett further requests authorization to prepare a contract for execution.
Account No. 2420-1420.
The Commission V O T E D: to approve the selection of Bourne Consulting Engineering, for Contract No. PL93-023-D3A, for Pope John Paul II Park – Phase II.
The Commission further V O T E D: to authorize Mr. Jewett to prepare the Contract for execution.

Adjourned at 9:30 a.m., to meet on Thursday, May 1, 2003 at 9:00 a.m.


Secretary

THE UNIVERSITY OF CHICAGO

DEPARTMENT OF CHEMISTRY

PHYSICAL CHEMISTRY

LECTURE NOTES

BY

PROFESSOR

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ILLINOIS

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Record of the Four Thousand Seventy First (4071st) Meeting of the Metropolitan District Commission duly called and held at MDC Headquarters Building, 20 Somerset Street, Boston, Massachusetts, on Thursday, May 1, 2003.

As Acting Commissioner McKinney was not available for today's Meeting, pursuant to Massachusetts General Laws, Chapter 28, Section 3 and Chapter 30, Section 6, he delegated Associate Commissioner Elkort, as Acting Commissioner for today's Meeting.

Present, Acting Commissioner Elkort and Associate Commissioners Anzuoni, Kahalas and Rollins.

The Records of the Commission Meeting held on April 17, 2003 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Acting Commissioner and three Associate Commissioners:

1. Amendment No. 2, dated May 1, 2003, to Contract No. WM02-060-S1A, with PARE Engineering Corporation, for Underwater Engineering Inspection of Dams, Spillways and Ancillary Structures.
2. Contract No. P01-2090-D1A, dated May 1, 2003, with Simpson, Gumpertz & Heger, Inc., for Professional Engineering Services for Bridges, Parkways and Other Commission Facilities.
3. Contract No. P03-2200-C1A, dated May 1, 2003, with B.S.A. Painting Co., Inc., for Swimming Pool Painting Various MDC Locations.
4. Contract No. P02-2167-M3A, dated May 1, 2003, with The Entwistle Company, for Maintenance and Service to Hydraulic Systems at Various Flood Control/Navigational Sites.

Action was taken upon the following matters relating to the Engineering and Construction Division:

5. Report of Messrs. Faucher, Misslin and Sodano, April 14, requesting that the Commission Amend its vote of February 20, 2003, concerning the award of Contract No. P03-2202-C1A, to T Ford Company, for Emergency Repair to Castle Island Water Line, by changing the source of funding from Account No. 2440-8952 to Account No. 2440-7991.
The Commission V O T E D: to Amend its vote of February 20, 2003, concerning the award of Contract No. P03-2202-C1A, to T Ford Company, for Emergency Repair to Castle Island Water Line, by changing the source of funding from Account No. 2440-8952 to Account No. 2440-7991.
6. Report of Messrs. Faucher and Thurlow, April 18, submitting for approval Work Schedule, Project Summary, Project Justification and requesting permission to advertise Project No. PL92-017-C3B, for Upper Charles River Reservation Restoration – Phase 3B.
Time for Performance – 18 months with completion by Fall of 2004.
Estimated Cost - \$1,217,973.00.

Funding from Account Nos. 2440-8961, 2440-8966 and 2492-9916.

The Commission V O T E D: Approved.

The Commission further V O T E D: permission to advertise Project No. PL92-017-C3B, for Upper Charles River Reservation Restoration – Phase 3B.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Mrs. Overton Bussell and Messrs. Church and Abounaja, February 12, submitting for approval Project Summary, Work Schedule, Project Justification and requesting authorization to advertise Project No. WM03-037-C1A, for Lead Paint Removal at Various MDC Facilities.
Time for Performance – 36 months.
Estimated Cost - \$100,000.00.
Funding from Account No. 2440-7994.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. WM03-037-C1A, for Lead Paint Removal at Various MDC Facilities.
2. Report of Messrs. McGinn and Scannell, April 9, recommending that Contract No. WM03035-C1A, with New England Recycling, for Green Waste Recycling, be accepted as complete as of December 31, 2002. Basis of award was \$18,500.00 – Final cost - \$14,350.00.
Performance Rating – 4.67 – with 5.00 being excellent.
The Commission V O T E D: that the work of New England Recycling, Contractor under Contract No. WM03035-C1A, be and hereby is accepted as completed as of December 31, 2002.
3. Report of Messrs. Church and Abounaja, March 6, requesting approval of Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. WM03-039-C1A, for Asbestos Abatement from Various MDC Facilities.
Time for Performance – 3 years from Notice to Proceed.
Estimated Cost - \$300,000.00.
Funding from Account No. 2440-7994.
The Commission V O T E D: Approved.
The Commission further V O T E D: requesting authorization to advertise Project No. WM03-039-C1A, for Asbestos Abatement from Various MDC Facilities.

Action was taken upon the following matters relating to the Office of Planning:

4. Report of Mrs. O'Brien, March 21, recommending approval of Amendment No. 2 to Contract No. P93-1671-D1A, with Comprehensive Environmental, Inc., for North Point Park in Cambridge and Boston, which increases cost by \$199,983.00, for a total contract value of \$559,494.25, for assuming responsibility at North Point Park for work which was originally under the jurisdiction of the Central Artery/Tunnel Project.
Mrs. O'Brien further requests authorization for Commissioner McKinney to execute the Amendment on behalf of the Commission.
Funding from Account No. 2448-0052.

The Commission V O T E D: Delete from Agenda.

1. Report of Mrs. O'Brien and Mr. Driscoll, March 31, recommending the following on Contract No. PL01-073-S1A, with Aquatic Control Technology, for Charles River Lakes District Weed Control Project – 2002 –
 - (a) That work be accepted as completed as of December 31, 2002.
 - (b) That reserve, in the amount of \$7,826.22, be approved for payment.
 - (Basis of Award - \$100,000.00)
 - (Amount to Date - \$78,262.27)

(Contract Performance Rating 9.00 with 10.00 being excellent)
(EEO Compliance – N/A)

The Commission V O T E D: that the work of Aquatic Control Technology, Contractor under Contract No. PL01-073-S1A, be and hereby is accepted as completed as of December 31, 2002.
The Commission further V O T E D: to approve release of reserve, in the amount of \$7,826.22, for payment.

Action was taken upon the following matter relating to the Office of General Counsel:

2. Report of Mr. Gray, April 28, recommending that the commission approve a confirmatory document to correct an inaccurate acreage figure stated within the grant of a conservation easement from Earle W. Kazis and Benjamin H. Schore to the Commonwealth of Massachusetts, acting by its Metropolitan District Commission, said easement document dated and approved by the Commission at its meeting of June 10, 1998, and recorded with the Middlesex South District Registry of Deeds in Book 28991, Page 510, which confirmatory document shall correct the easement area so conveyed as 1.09 acres, or 47,350 square feet, as shown on the plan attached to the original grant on Exhibit "A"; and authorize Acting Commissioner William D. McKinney to execute any document or documents on behalf of the Commission relating to this matter.

The Commission V O T E D: to commission approve a confirmatory document to correct an inaccurate acreage figure stated within the grant of a conservation easement from Earle W. Kazis and Benjamin H. Schore to the Commonwealth of Massachusetts, acting by its Metropolitan District Commission, said easement document dated and approved by the Commission at its meeting of June 10, 1998, and recorded with the Middlesex South District Registry of Deeds in Book 28991, Page 510, which confirmatory document shall correct the easement area so conveyed as 1.09 acres, or 47,350 square feet, as shown on the plan attached to the original grant on Exhibit 'A'.

The Commission further V O T E D: to authorize Acting Commissioner William D. McKinney to execute any document or documents on behalf of the Commission relating to this matter.

Action was taken upon the following Various Matters:

3. Report of Mr. Jewett, April 30, requesting approval of the recommendation of the Division of Watershed Management Senior Staff to award Contract No. WM03-080-X1A, for Biological Control of Eurasian Water Milfoil, Wachusett Reservoir, to GeoSyntec Consultants, Inc., in an amount not-to-exceed \$19,983.00 paid on a unit price basis.

Contract Duration – two years.

Funds are available in Account No. 2420-1400.

Mr. Jewett further requests the Commission execute the Contract.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Contract No. WM03-080-X1A, dated May 1, 2003, with GeoSyntec Consultants, Inc., which was signed by the Commissioner and three Associate Commissioners.

1. Report of Mr. Jewett, April 30, requesting approval of the recommendation of the Division of Watershed Management Senior Staff to award Contract No. WM03-079-X1A, for Hand Harvesting of Eurasian Water Milfoil, Wachusett Reservoir, to Aquatic Control Technology, Inc., in an amount not-to-exceed \$48,070.00 paid on a unit price basis.

Contract Duration – two years.


Funds are available in Account No. 2420-1400.

Mr.. Jewett further requests the Commission execute the Contract.

The Commission V O T E D: Approved.

The Secretary then submitted for signature Contract No. WM03-079-X1A, dated May 1, 2003, with Aquatic Control Technology, Inc., which was signed by the Commissioner and three Associate Commissioners.

Adjourned at 9:20 a.m., to meet on Thursday, May 1, 2003 at 9:00 a.m.


Secretary

Record of the Four Thousand Seventy Second (4072nd) Meeting of the Metropolitan District Commission duly called and held at MDC Headquarters Building, 20 Somerset Street, Boston, Massachusetts, on Thursday, May 8, 2003.

Present, Acting Commissioner McKinney and Associate Commissioners Anzuoni, Elkort and Rollins.

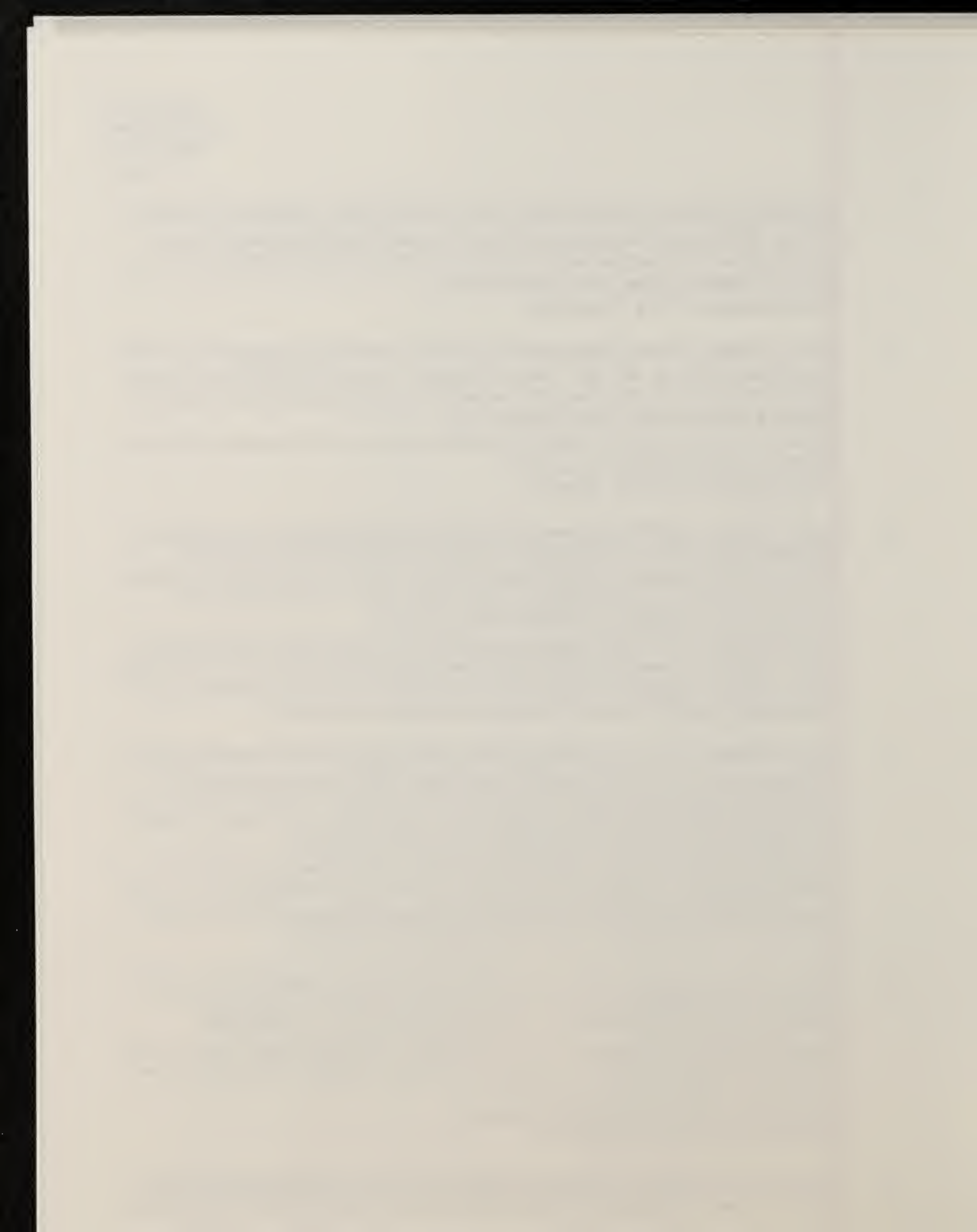
The Records of the Commission Meeting held on April 24, 2003 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Thurlow, May 2, on bids for 2003 – 2004 Parkway Landscape Improvements, Contract No. P03-2201-C1A. They request that the Commission approve additional funding in the amount of \$38,293.00 for the project.
(Messrs. Faucher and Thurlow recommend acceptance of the lowest bid received, that of Northern Tree Service, Inc., Northern Construction Service, Inc., of \$388,293.00).
The Commission V O T E D: to accept the lowest bid received, that of Northern Tree Service, Inc., Northern Construction Service, Inc., of \$388,293.00.
2. Report of Messrs. Faucher and Thurlow, April 9, requesting approval of Project Summary, Work Schedule, Project Justification and authorization to advertise Project No.P00-2067-M4A, for Landscape Maintenance of Lynn Shore Drive, Revere Beach Reservation, Carroll Parkway and the Lynnway.
Time for Performance – May through October.
Estimated Cost - \$75,000.00 – Funding from Account No. 2444-9001. Funding for F2004 is contingent upon sufficient funds being made available through the annual budgetary appropriation process.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No.P00-2067-M4A, for Landscape Maintenance of Lynn Shore Drive, Revere Beach Reservation, Carroll Parkway and the Lynnway.
Associate Commissioner Anzuoni did not participate in discussion or vote on this matter.
3. Report of Messrs. Faucher, Misslin and Gabra, May 1, requesting approval of an extension of time from May 15, 2003 to May 30, 2003, on Contract No. P02-2143-M1A, with Boston Fuel Injection, Inc., for Regasketing of 4 Diesel Engines at the Charles River and Amelia Earhart Dams, due to delay in receiving parts.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from May 15, 2003 to May 30, 2003, as requested by Messrs. Faucher, Misslin and Gabra in their report of May 1, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation
4. Report of Messrs. Faucher and Soroka, April 22, recommending approval of a revision in quantities on Item No. 014-010 – Traffic Signal Wire TFF #18 Conductor – at a cost of

\$1,000.00, on Contract No. P02-2142-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems Charles River Basin Districts. (At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 002-020 – Maintenance for Traffic Control Devices).
The Commission V O T E D: Approved

1. Report of Messrs. Faucher, Misslin and Haider, April 22, recommending approval of a revision in quantities on Item No. 001-030 – Parts and Materials – at a cost of \$12,460.00, on Contract No. P00-2062-M3A, with The Entwistle Company, for Maintenance and Service of Hydraulic Systems at Various Flood Control/Navigation Sites.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 001-020 – Rates for Technicians Overtime).
The Commission V O T E D: Approved.
2. Report of Messrs. Faucher, Misslin and Gabra, May 2, requesting approval of an extension of time from May 9, 2003 to June 23, 2003, on Contract No. P02-2175-M1A, with D & C Construction Company, Inc., for Rehabilitation of Flood Control Pump at Charles River Dam, Charlestown, due to the need for additional work on Pump No. 6 – an extra work order covering the cost of the work will be submitted at a later date.
The Commission V O T E D: to approve an extension of time from May 9, 2003 to June 23, 2003, as requested by Messrs. Faucher, Misslin and Gabra in their report of May 2, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
3. Report of Messrs. Faucher, Lenhardt and Griffin and Mrs. O'Brien and Ms. Peterson, May 1, requesting that the Commission amend its vote of April 3, 2003, concerning approval of a revision in quantities on Contract No. PL93-023-C2A, with D & C Construction Co., Inc., for Lower Neponset River Trail, Boston and Milton, by changing the source of funding for Item No. 02510-11 from Account No. 2420-8961 to Account No. 2440-2022.
The Commission V O T E D: to amend its vote of April 3, 2003, concerning approval of a revision in quantities on Contract No. PL93-023-C2A, with D & C Construction Co., Inc., for Lower Neponset River Trail, Boston and Milton, by changing the source of funding for Item No. 02510-11 from Account No. 2420-8961 to Account No. 2440-2022.
4. Report of Messrs. Faucher, Lenhardt and Griffin and Ms. Peterson, April 28, recommending approval of Amendment No. 6, for an extension of time from July 31, 2003 to January 31, 2005, on Contract No. P99-1986-D1A, with Gannett Fleming, Inc., for Professional Engineering Services for Bridges, Parkways and Other Commission Facilities, due to the need for construction phase services for the Beades Drawbridge, Longfellow Bridge and proposed construction contract for Beades Drawbridge.
(At no increase to the current contract upset limit).
The Commission V O T E D: Approved.
5. Report of Messrs. Faucher, Carrigan and Machado, April 29, recommending approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 4 – for emergency



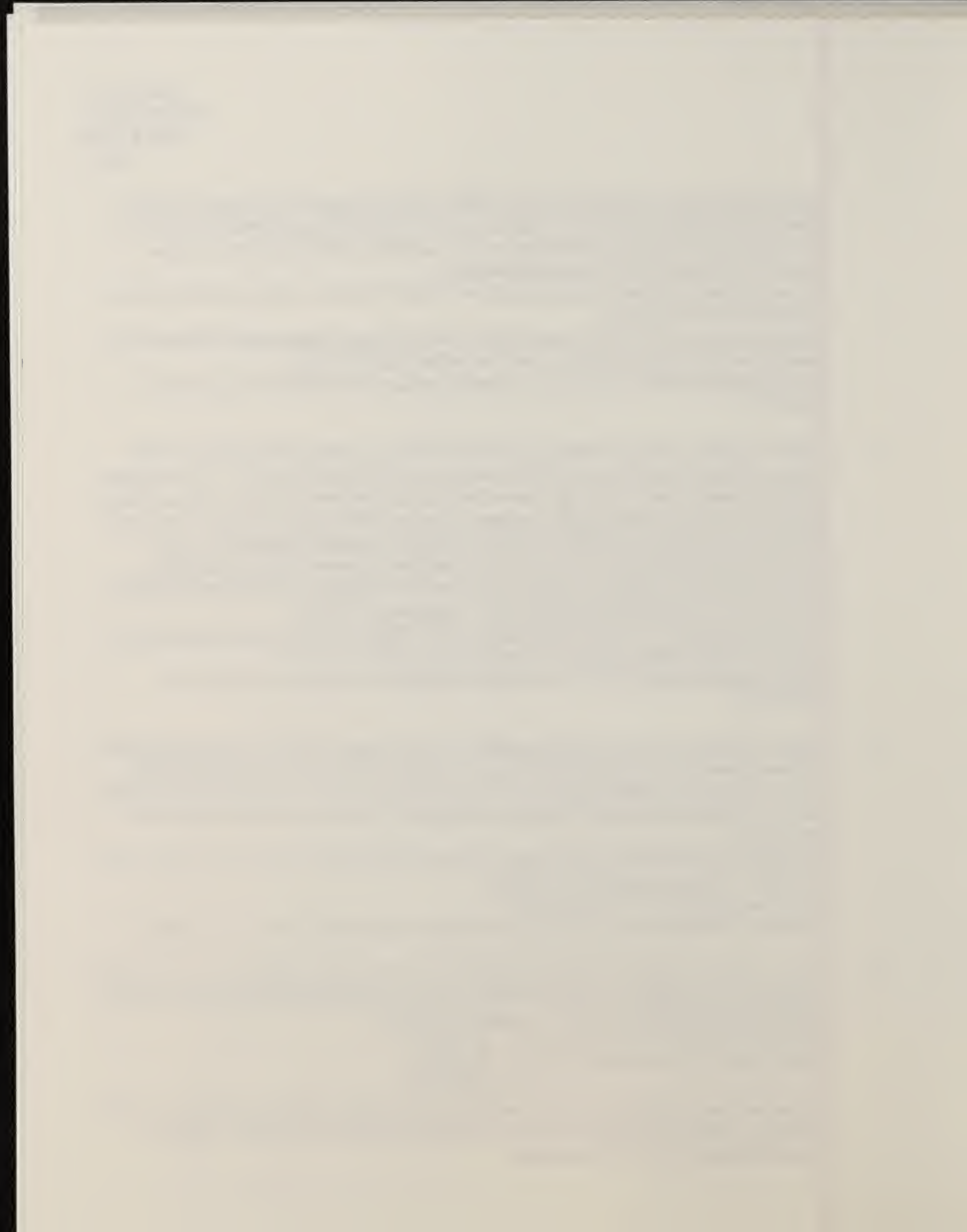
repairs to pot holes on Charles Circle, Longfellow Bridge, Mugar Way, Embankment Road Intersection within Charles Circle, Boston, at a cost of \$3,307.71, on Contract No. P02-2177-C1A, with D & R General Contracting, Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District.

(At no increase in Contract cost as the extra work will be offset by unused quantities in Item Nos. 002-010 and 007-010).

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 4, on Contract No. P02-2177-C1A.

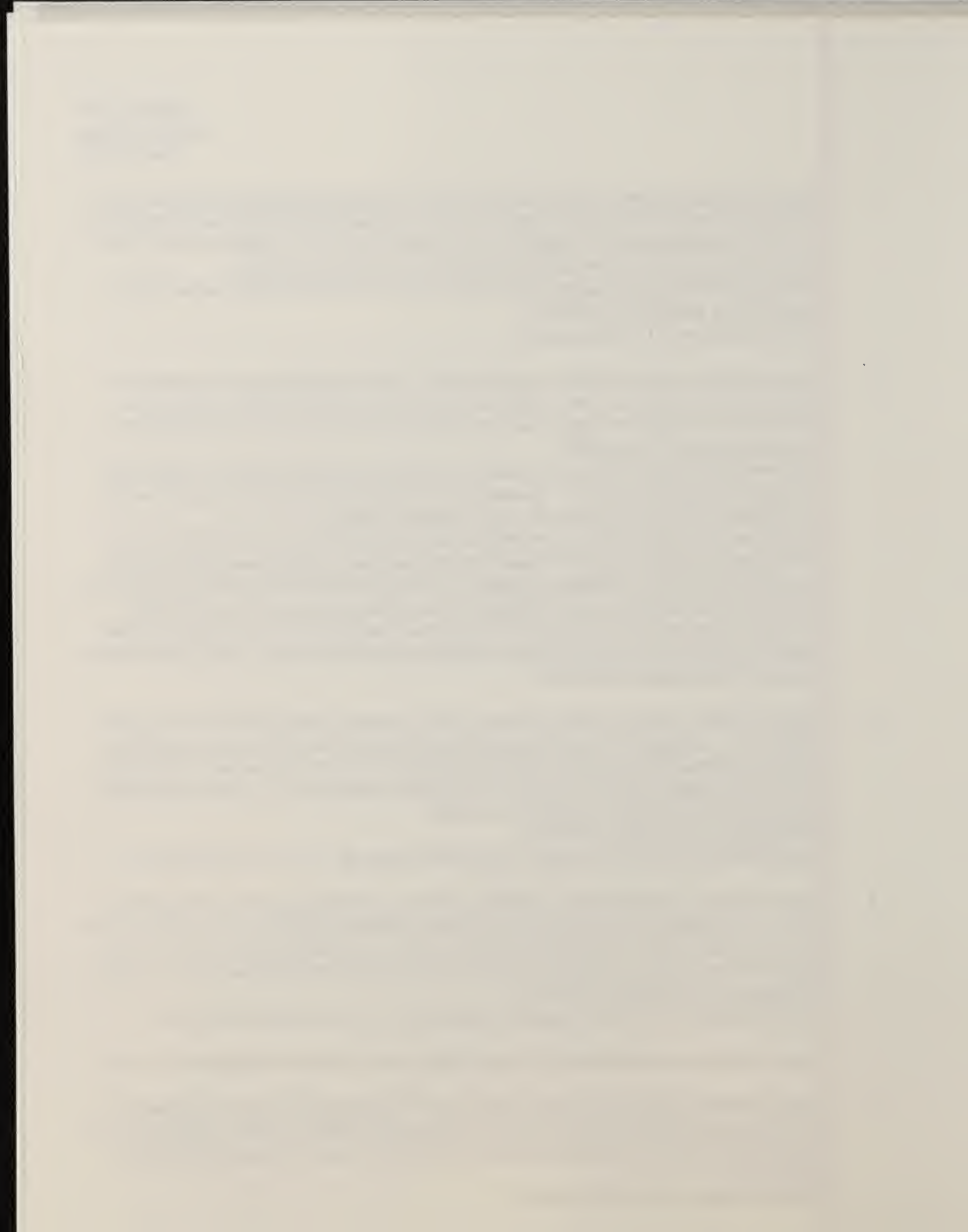
The Commission further V O T E D: to approve in Extra Work Order No. 4, at a cost of \$3,307.71.

1. Report of Messrs. Faucher, Carrigan and Machado, May 1, recommending approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 5 – for emergency roadway repairs to pot holes on sections of Revere Beach Parkway, Everett - Chelsea, Fenway, Soldiers Field Road, Beacon Street, Arlington Street and VFW Parkway, Boston – at a cost of \$7,897.66, on Contract No. P02-2177-C1A, with D & R General Contracting, Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District.
(At no increase in Contract cost as the extra work will be offset by unused quantities in Item Nos. 002-010 – Cold Planning and 007-010 – Bituminous Concrete).
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 5. on Contract No. P02-2177-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 5, at a cost of \$7,897.66.
2. Report of Messrs. Faucher and Orfant and Mrs. Overton Bussell, April 30, requesting approval of Amendment No. 7, for expansion of scope of work for Task 4A for detailed bathymetric survey of proposed NOMES I borrow site – at a cost of \$24,787.66, on Contract No. P97-1987-D1A, with Parsons, Brinkerhoff, Quade & Douglas, Inc., for Winthrop Shores Reservation Restoration.
Funding for the additional work through a transfer of \$29,106.89 in unexpended contract funds for Task 3, which is completed, to Task 4A.
The Commission V O T E D: Approved.
Associate Commissioner Anzuoni did not participate in discussion or vote on this matter.
3. Report of Messrs. Faucher, Misslin and Balicki, April 25, recommending approval of revisions in quantities on Contract No. P00-2078-M2A, with Lewis Refrigeration Co., for Maintenance of Refrigeration Systems, all MDC Ice Rinks, as follows –
Item No. 025-010 – Parts and Materials - \$ 262.16
Item No. 023-019 – Maintenance Service - \$4,099.65
Total - \$4,361.81
(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 024-010 – Treatments, 021-010 – General Conditions and Item No. 022-010 – Start-Up).
The Commission V O T E D: Approved



1. Report of Messrs. Faucher, Misslin and Kane, April 17, recommending approval of the request of Aztech Construction Corp., to engage the services of Charles Breen Blueboard & Plastering, as sub-contractor for Lath and Plastering, at a cost of \$43,386.18, on Contract No. P02-2138-C3A, for Construction of Deck and Handicapped Ramp Footings, Insulation, Wallboard/Plastering and Painting at the Visitor's Center at Breakheart Reservation, Saugus. Funding from Account No. 2440-7991.
The Commission V O T E D: Approved
2. Report of Messrs. Faucher, Misslin and Kane, May 7, requesting approval of an extension of time from May 17, 2003 to June 27, 2003 under provisions of Article XXII on Contract No. P02-2171-C1A, with Shaw Construction Corporation for Reconstruction of the Bernie King Pavilion, Nantasket Avenue, Hull.
(The extension of time will in no way affect the liquidated damages provision of Article XXI that may be due the Commission. This extension of time shall not operate as a waiver on the part of the Commission or in any of its rights under this Contract).
The Commission V O T E D: to approve an extension of time from May 17, 2003 to June 27, 2003, as recommended by Messrs. Faucher, Misslin and Kane, in their report of May 7, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation and that this extension of time shall in no way affect the liquidated damages provision of Article XXI, that may be due the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under this Contract.
3. Report of Messrs. Faucher, Misslin and Kane, May 2, recommending approval of Extra Work Order No. 13 – changes in Contract design and construction of the new pavilion required the addition hanger bolts and angle iron support and alteration of bolted connections – at a cost of \$7,265.68, on Contract No. P02-2171-C1A, with Shaw Construction, Inc., for Reconstruction of the Bernie King Pavilion, Nantasket Ave., Hull.
Funding from Account No. 2440-7991.
The Commission V O T E D: to approve Extra Work Order No. 13, at a cost of \$7,265.68.
4. Report of Messrs. Faucher, Misslin and Kane, May 2, recommending approval of Alteration No. 1 – for changes to connections between columns and beams between A B and C line – at an increase of \$12,316.84 – to Extra Work Order No. 10, on Contract No. P02-2171-C1A, with Shaw Construction, Inc., for Reconstruction of the Bernie King Pavilion, Nantasket Ave., Hull.
Funding from Account No. 2440-7991.
The Commission V O T E D: to approve Alteration No. 1, in the amount of \$12,316.84.

Action was taken upon the following matters relating to the Watershed Management Division:
5. Report of Messrs. McGinn and Zimmerman, April 24, requesting approval of an extension of time from June 20, 2003 to June 20, 2004, on Contract No. WM02-076-X6A, with the Town of Wendell, for Wendell Town Center Wastewater Plan, due to need to complete entire plan by Spring 2004.
The Commission V O T E D: Approved



1. Report of Messrs. McGinn and Vignaly, April 22, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. WM03-081-C1A, for Wachusett Reservoir Security, Phase I.
Time for Performance – four months.
Estimated Cost - \$120,000.00.
Funding from Account No. 2420-1400 sub NN.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. WM03-081-C1A, for Wachusett Reservoir Security, Phase I.
2. Report of Messrs. McGinn and Zimmerman, April 24, requesting approval of an extension of time from June 20, 2003 to June 20, 2004, on Contract No. WM02-076-X2A, with the Town of New Salem, for New Salem Town Common Wastewater Evaluation and Conceptual Plan, due to need to complete entire plan by Spring of 2004.
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

3. Report of the Concession Selection Committee, May 5, recommending approval of the award of Concession Permits, as follows -

LOCATION	VENDOR	COMPENSATION
Houghton's Pond, Milton	Dean's Special Events, Inc. Mark Matarazzo	2003 - \$17,000.00 or 15% of gross sales. 2004 - \$17,500.00 or 15% of gross sales. 2005 - \$18,000.00 or 15% of gross sales. 2006 - \$18,500.00 or 15% of gross sales. 2007 - \$19,000.00 or 15% of gross sales. A total of \$90,000.00 for 5 years or 15% of gross sales, whichever is greater.
Nahant Beach, Nahant	Dean's Special Events, Inc. Mark Matarazzo	\$9,000.00 or 15% of gross sales each year for a guarantee of \$45,000.00 or 15% of the gross sales for 5 years, whichever is greater.
Sandy Beach, Winchester	Nick's Canteen Service Nick Papageorgiou	\$23,000.00 for the 5 years which is \$4,600.00 for each of the 5 years.
Breakheart Reservation, Saugus	Nick's Canteen Service Nick Papageorgiou	\$18,000.00 for the 5 years combined – That is \$3,600.00 for each of the 5 years.

Record of the Four Thousand Sixtieth (4060th) Meeting of the Metropolitan District Commission duly called and held at MDC Headquarters Building, 20 Somerset Street, Boston, Massachusetts, on Thursday, February 13, 2003.

As Commissioner Balfour was not available for today's Meeting, pursuant to Massachusetts General Laws, Chapter 28, Section 3 and Chapter 30, Section 6, he delegated Associate Commissioner Elkort, as Acting Commissioner for today's Meeting.

Present, Acting Commissioner Elkort and Associate Commissioners Anzuoni and Rollins.

As Secretary Chisholm was not available for today's Meeting, Thomas P. Gray, MDC General Counsel was designated Acting Secretary for today's Meeting.

The Records of the Commission Meeting held on January 30, 2003, were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Griffin, February 5, requesting approval of an extension of time from February 28, 2003 to April 30, 2003, on Contract No. P02-2137-C1A, with SPS New England, Inc., for Repairs to Woods Memorial Bridge, Everett/Medford, due to weather conditions that prevented the Contractor from completing temperature sensitive work
The Commission V O T E D: to approve an extension of time from February 28, 2003 to April 30, 2003, as requested by Messrs. Faucher and Griffin in their report of February 5, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation
2. Report of Messrs. Faucher, Misslin and Balicki, February 3, on bids for New Dehumidifier, Flynn Memorial Rink, Medford, Contract No. P03-2190-C1A.
(Messrs. Faucher, Misslin and Balicki recommend acceptance of the lowest bid receive, that of HVAC Mechanical Systems, Inc., of \$95,500.00).
The Commission V O T E D: to accept the lowest bid received, that of HVAC Mechanical Systems, Inc., of \$95,500.00.
3. Report of Messrs. Faucher, Gearheart, Misslin and Kane, January 30, requesting approval of Extra Work Order No. 6, in the amount of \$722.78, to install PVC plumbing sweeps and conduit under the Visitors Center floor slab to connect the two wings of the building to the main services, on Contract No. P02-2138-C1A, with E. A. Colangeli Construction Co., Inc., for Foundation for the Visitors Center and Construction of Maintenance Building at Breakheart Reservation, Saugus.
Funding is available in Account No. 2440-7991.
The Commission V O T E D: to approve Extra Work Order No. 6, in the amount of \$722.78.
4. Report of Messrs. Faucher, Misslin and Balicki, February 3, submitting for approval Work Schedule, Project Summary and Project Justification and requesting authorization to advertise

LOCATION	VENDOR	COMPENSATION (CON.-)
Pope John Paul Park, Dorchester	Nick's Canteen Service Nick Papageorgiou	\$18,000.00 for the 5 years combined – That is \$3,600.00 for each of the 5 years.
Georges Island Boston Harbor	Silver Platters George Silva	\$15,000.00 – for the 2003 season - \$3,000.00 per month - May through September.
Day Boulevard opposite the Murphy Rink, South Boston	Nicholas G. Faggas	2003 - \$6,600.00 2004 - \$6,700.00 2005 - \$6,800.00 2006 - \$6,900.00 2007 - \$7,000.00

The Commission V O T E D: Approved.


1. Report of Mrs. O'Brien, May 6, recommending approval of Amendment No. 3 to Contact No. PL95-036-D1A, with HNTB Corporation, for Design of Leverett Circle Pedestrian Bridge and Other Pedestrian Bridges and Improvements in Boston, which provides for completion of design and construction documents and construction supervision – at a cost of \$543,424.00 and further to authorize the Commissioner to execute the documents on behalf of the Commission. Funding from Account No. 2449-2003 (Central Artery Mitigation Funds).
The Commission V O T E D: Approved.
The Commission further V O T E D: to authorize the Commissioner to execute the documents on behalf of the Commission.

Action was taken upon the following matter relating to the Office of General Counsel:

2. Report of Mr. Collette, May 5, recommending that the Commission vote to terminate the License Agreement between the Metropolitan District Commission and RCM One Realty Trust as approved by vote of the Commission on December 12, 2002, to ratify the vote of the Commission at its meeting on August 1, 2002, and to authorize the grant of a license for parking purposes on a portion of the property acquired from 2 Lynn Fells Parkway, LLC on August 21, 2002, to Robert J. McAree and Carla McAree, as Trustees of RCM One Realty Trust, subject to the provisions of the attached License Agreement to be executed by the Commission.
The Commission V O T E D: to terminate the License Agreement between the Metropolitan District Commission and RCM One Realty Trust as approved by vote of the Commission on December 12, 2002.
The Commission further V O T E D: to ratify the vote of the Commission at its meeting on August 1, 2002, and to authorize the grant of a license for parking purposes on a portion of the property acquired from 2 Lynn Fells Parkway, LLC on August 21, 2002, to Robert J. McAree and Carla McAree, as Trustees of RCM One Realty Trust, subject to the provisions of the attached License Agreement to be executed by the Commission.

The Secretary then submitted for signature License Agreement, dated May 8, 2003, with Robert J. McAree and Carla McAree, as Trustees of RCM One Realty Trust, which was signed by the Commissioner and three Associate Commissioners.

Adjourned at 9:25 a.m., to meet on Thursday, May 15, 2003 at 9:00 a.m.


Secretary

Record of the Four Thousand Seventy Third (4073rd) Meeting of the Metropolitan District Commission duly called and held at MDC Headquarters Building, 20 Somerset Street, Boston, Massachusetts, on Thursday, May 15, 2003.

Present, Acting Commissioner McKinney and Associate Commissioners Anzuoni, Elkort, Kahalas and Rollins.

The Records of the Commission Meeting held on May 1, 2003 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P03-2190-C1A, dated May 15, 2003, with HVAC Mechanical Systems, Inc., for New Dehumidifier, Flynn Memorial Rink, Medford

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Misslin and Kane, April 22, requesting approval of Alteration No. 1 - to Extra Work Order No. 2 - for sealing of slate floor tile for all bathrooms – at a cost of \$1,689.20 and an extension of time from May 30, 2003 to June 30, 2003, on Contract No. P02-2138-C3A, with Aztech Construction Corp., for Construction of Concrete Deck and Handicap Ramp Footings, Insulation, Lath and Plastering, and Painting at Breakheart Reservation, Saugus.
Funding from Account No. 2440-7991.
The Commission V O T E D: to approve Alteration No. 1 - to Extra Work Order No. 2 - at a cost of \$1,689.20.
The Commission further V O T E D: to approve an extension of time from May 30, 2003 to June 30, 2003, as requested by Messrs. Faucher, Misslin and Kane in their report of April 22, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
3. Report of Messrs. Faucher, Misslin and Gabra, April 29, requesting approval for Extra Work Order No. 2 - for furnishing and installing new OEM approved removable blankets for piping on the exhaust side of engines at the Amelia Earhart Dam and Charles River Dam - with an upset limit of \$12,316.95, on Contract No. P02-2143-M1A, with Boston Fuel Injection, Inc., for Regasketing of Four Diesel Engines at Amelia Earhart and Charles River Dams.
Funding from Account No. 2496-8967.
The Commission V O T E D: to approve Work Order No. 2, with an upset limit of \$12,316.95, as requested by Messrs Faucher, Misslin and Gabra in their report of April 29, 2003.
4. Report of Messrs. Faucher and Lenhardt, May 6, requesting approval of an extension of time from July 28, 2003 to October 31, 2003, on Contract No. P78-0639-C1A, with SPS New England, Inc., for Remedial Repairs of Longfellow Bridge, due to weather conditions and the need for additional repairs.
(At no additional Contract cost to the Commission.)

The Commission V O T E D: to approve an extension of time from July 28, 2003 to October 31, 2003, as requested by Messrs. Faucher and Lenhardt, in their report of May 6, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher, Misslin and Gabra, May 12, requesting approval of Extra_Work Order No. 1 - for repairs and the installation of a bottomless concrete sump with outlet pipe inside the floor of the equipment room at the Cleveland Circle Pool - with an upset limit of \$2,589.00, on Contract No. P03-2204-C1A, with Eagle_Point Builders, Inc. for Miscellaneous Pool and Bath - House Repairs, Various_MDC Locations.
Funding from Account No. 2440-7992.
The Commission V O T E D: to approve Extra_Work Order No. 1, with an upset limit of \$2,589.00.
2. Report of Messrs. Faucher and Lenhardt, May 1, recommending approval of Extra_Works Orders and Revisions in Quantities on Contract No. P99-1986-C2A, with_James A. Gross, Inc., for Repair of John J. Beades Drawbridge, Boston.

Revisions in Quantities

Item No. 020-010 - Class I Bituminous - \$17,100.00

Item No. 004-012 - Sidewalk Excavation - \$12,000.00

Item No. 026-010 - Cement Concrete

Masonry -	\$20,000.00
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Extra Work Orders

No. 32 - Brake Repair Phase III -	\$9,137.49
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No. 33 - Replace Deteriorated Rivets -	\$73,125.00
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No. 34 - R&R, Repair Transition Joint - \$41,844.14

Total - \$173,206.63

Funding for the Revisions in Quantities and Extra Work Orders Nos. 32 and 34 in the amount of \$100,081.63 is available in Account No. 2490-2001. No additional funding is required for Extra Work Order No. 33 as the cost will be offset by unused quantities in Item Nos. 028-010 - Open Steel and Concrete Filled Steel Grating in the amount of \$26,368.00, 029-010 - New Structural Steel in the amount of \$45,000 and 029-011 - Structural Steel for Repair in the amount of \$1,757.00 for a total of \$73,125.00.

The Commission V O T E D: to approve the Revisions in Quantities, in the amount of \$49,100.00.

The Commission further V O T E D: to approve Extra Work Order No. 32, in the amount of \$9,137.49.

The Commission further V O T E D: to approve Extra Work Order No. 33, in the amount of \$73,125.00.

The Commission further V O T E D: to approve Extra Work Order No. 34, in the amount of \$41,844.14.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Vignaly, April 9, requesting approval and execution of an Interagency Service Agreement (Contract No. WM03-078-S1A) with the International Marine Emergency Response Center - Massachusetts Maritime Academy - for training MDC staff as well as local Community Fire Department personnel in the safe deployment and operation of equipment and machinery to contain accidental or deliberate releases of buoyant material into the Wachusett or Quabbin Reservoirs.
Time for Performance - five days - over a period of four weeks.
Cost - \$7,500.00
Funding from Account No. 2420-1400 TT.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Interagency Service Agreement (Contract No. WM03-078-S1A, dated May 15, 2003, with the International Marine Emergency Response Center - Massachusetts Maritime Academy, which was signed by the Commissioner and four Associate Commissioners.
2. Report of Messrs. McGinn and O'Connor, May 6, requesting approval of Extra Work Order No. 1 - for excavating down to the bottom of the stone masonry courses, installing forms and placing concrete under and adjacent to the capstone overhang and along the proposed gutter line, approximately 120 feet - at a cost of \$12,388.90 and Extra Work Order No. 2 - for an additional threaded tie rod installed between the west and east walls, adjacent to the concrete arch - at a cost of \$6,352.45 on Contract No. WM94-003-C1A, with TASCOC Construction, Inc., for Remedial Repairs/Improvements for Public Safety Considerations, Beaman Street Bridge, West Boylston.
Funding from Account No. 2490-2001.
The Commission V O T E D: to approve Extra Work Order No. 1, at a cost of \$12,388.90.
The Commission further V O T E D: to approve Extra Work Order No. 2, at a cost of \$6,352.45

Action was taken upon the following Various Matter:
3. Report of Mr. Jewett, May 14, on bids for Landscape Maintenance of Paul Revere Park, Charlestown - Contract No. PL0-0070-M3A.
(Mr. Jewett recommends acceptance of the lowest bid received, that of Thomas J. McNulty d.b.a. McNulty Maintenance of \$24,700.00 - on a unit price basis.)
Time for Performance - from Notice to Proceed through April 1, 2004.
Funding from Account No. 2448-0052.
The Commission V O T E D: to accept of the lowest bid received, that of Thomas J. McNulty d.b.a. McNulty Maintenance of \$24,700.00 - on a unit price basis.

Adjourned at 9:25 a.m., to meet on Thursday, May 22, 2003 at 9:00 a.m.

S e c r e t a r y

Record of the Four Thousand Seventy Fourth (4074th) Meeting of the Metropolitan District Commission duly called and held at MDC Headquarters Building, 20 Somerset Street, Boston, Massachusetts, on Thursday, May 22, 2003.

Present, Acting Commissioner McKinney and Associate Commissioners Anzuoni, Elkort, Kahalas and Rollins.

The Records of the Commission Meeting held on May 8, 2003 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P03-2195-C1A, dated May 22, 2003, with D'Allessandro Corp., for Floor Drains, Sewer and Tanks, Various MDC Sites.
2. Contract No. P03-2197-C1A, dated May 22, 2003, with Tree Technology and Landscape Co., Inc, for Tree Removals and Pruning at Leo J. Martin Golf Course.
3. Contract No. P00-2083-C2A, dated May 22, 2003, with Tree Technology and Landscape Co., Inc, for 2003- 2004 Arboricultural Improvements.

The Secretary then submitted for signature the following Concession Permits, dated May 22, 2003, which were signed by the Commissioner and four Associate Commissioner:

LOCATION	VENDOR	COMPENSATION
Houghton's Pond, Milton	Dean's Special Events, Inc. Mark Matarazzo	2003 - \$17,000.00 or 15% of gross sales. 2004 - \$17,500.00 or 15% of gross sales. 2005 - \$18,000.00 or 15% of gross sales. 2006 - \$18,500.00 or 15% of gross sales. 2007 - \$19,000.00 or 15% of gross sales. A total of \$90,000.00 for 5 years or 15% of gross sales, whichever is greater.
Nahant Beach, Nahant	Dean's Special Events, Inc. Mark Matarazzo	\$9,000.00 or 15% of gross sales each year for a guarantee of \$45,000.00 or 15% of the gross sales for 5 years, whichever is greater.

LOCATION	VENDOR	COMPENSATION
Sandy Beach, Winchester	Nick's Canteen Service Nick Papageorgiou	\$23,000 for the 5 years which is \$4,600.00 for each of the 5 years.
Breakheart Reservation, Saugus	Nick's Canteen Service Nick Papageorgiou	\$18,000.00 for the 5 years combined-That is \$3,600.00 for each of the 5 years.
Georges Island Boston Harbor	Silver Platters George Silva	\$15,000.00 - for the 2003 season - \$3,000.00 per month May through September.
Day Boulevard opposite the Murphy Rink, South Boston	Nicholas G. Faggas	2003 - \$6,600.00 2004 - \$6,700.00 2005 - \$6,800.00 2006 - \$6,900.00 2007 - \$7,000.00

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and DiRamio, May 8, requesting rejection of all general bids and sub-bids received on Contract No. P97-1905-C1A, for Rehabilitation of the John F. Thompson Center, due to the fact that the bids received for the project were between \$820,000.00 and \$1,367,973.00 over the allowable budget and that authority be granted to restructure the work into two separate documents - one for site improvement and the other for building renovations.
The Commission V O T E D: to reject all general bids and sub-bids received on Contract No. P97-1905-C1A, for Rehabilitation of the John F. Thompson Center, as requested by Messrs. Faucher and DiRamio in their report of May 8, 2003.
The Commission further V O T E D: to grant authority to restructure the work into two separate documents - one for site improvements and the other for building renovations."
2. Report of Messrs. Faucher, Carrigan and Machado, May 8, recommending approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 6 - for emergency repair work for a collapsed catch basin at the intersection of Fresh Pond Parkway and Mt. Auburn Street and emergency roadway repair work to potholes on Memorial Drive, Cambridge, on April 9 and 10, 2003 - at a total cost of \$6,048.70, on Contract No. P02-2177-C1A, with D & R General Contracting, Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District.
(At no increase in Contract cost as the extra work will be offset by unused quantities in Item Nos. 002-010 and 007-010.)

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Name		Age	Sex	Color	Height	Weight	Build	Complexion	Stature	General	Particulars
1. John Smith		25	M	White	5' 8"	160	Medium	Fair	Slender	Healthy	None
2. Mary Jones		22	F	White	5' 4"	120	Medium	Fair	Slender	Healthy	None
3. Robert Brown		30	M	White	6' 0"	180	Medium	Fair	Slender	Healthy	None
4. Elizabeth White		28	F	White	5' 6"	130	Medium	Fair	Slender	Healthy	None
5. William Black		35	M	Black	5' 10"	170	Medium	Dark	Slender	Healthy	None
6. Sarah Green		20	F	White	5' 2"	110	Medium	Fair	Slender	Healthy	None
7. James Grey		27	M	White	5' 9"	150	Medium	Fair	Slender	Healthy	None
8. Mary Black		24	F	Black	5' 5"	125	Medium	Dark	Slender	Healthy	None
9. John White		32	M	White	6' 2"	190	Medium	Fair	Slender	Healthy	None
10. Elizabeth Black		26	F	Black	5' 7"	135	Medium	Dark	Slender	Healthy	None
11. William Green		38	M	White	6' 4"	200	Medium	Fair	Slender	Healthy	None
12. Sarah White		21	F	White	5' 3"	115	Medium	Fair	Slender	Healthy	None
13. James Black		29	M	Black	5' 11"	175	Medium	Dark	Slender	Healthy	None
14. Mary Green		23	F	White	5' 5"	125	Medium	Fair	Slender	Healthy	None
15. Robert White		31	M	White	6' 1"	185	Medium	Fair	Slender	Healthy	None
16. Elizabeth Green		25	F	White	5' 6"	130	Medium	Fair	Slender	Healthy	None
17. William Black		33	M	Black	6' 3"	195	Medium	Dark	Slender	Healthy	None
18. Sarah White		22	F	White	5' 4"	120	Medium	Fair	Slender	Healthy	None
19. James Green		30	M	White	6' 0"	180	Medium	Fair	Slender	Healthy	None
20. Mary Black		27	F	Black	5' 7"	135	Medium	Dark	Slender	Healthy	None
21. John White		34	M	White	6' 5"	210	Medium	Fair	Slender	Healthy	None
22. Elizabeth Green		24	F	White	5' 6"	130	Medium	Fair	Slender	Healthy	None
23. William Black		36	M	Black	6' 6"	220	Medium	Dark	Slender	Healthy	None
24. Sarah White		23	F	White	5' 5"	125	Medium	Fair	Slender	Healthy	None
25. James Green		32	M	White	6' 1"	185	Medium	Fair	Slender	Healthy	None
26. Mary Black		28	F	Black	5' 8"	140	Medium	Dark	Slender	Healthy	None
27. John White		35	M	White	6' 7"	225	Medium	Fair	Slender	Healthy	None
28. Elizabeth Green		25	F	White	5' 7"	135	Medium	Fair	Slender	Healthy	None
29. William Black		37	M	Black	6' 8"	230	Medium	Dark	Slender	Healthy	None
30. Sarah White		24	F	White	5' 6"	130	Medium	Fair	Slender	Healthy	None
31. James Green		33	M	White	6' 2"	190	Medium	Fair	Slender	Healthy	None
32. Mary Black		29	F	Black	5' 9"	145	Medium	Dark	Slender	Healthy	None
33. John White		36	M	White	6' 9"	235	Medium	Fair	Slender	Healthy	None
34. Elizabeth Green		26	F	White	5' 8"	140	Medium	Fair	Slender	Healthy	None
35. William Black		38	M	Black	6' 10"	240	Medium	Dark	Slender	Healthy	None
36. Sarah White		25	F	White	5' 7"	135	Medium	Fair	Slender	Healthy	None
37. James Green		34	M	White	6' 3"	195	Medium	Fair	Slender	Healthy	None
38. Mary Black		30	F	Black	5' 10"	150	Medium	Dark	Slender	Healthy	None
39. John White		37	M	White	6' 11"	245	Medium	Fair	Slender	Healthy	None
40. Elizabeth Green		27	F	White	5' 9"	145	Medium	Fair	Slender	Healthy	None
41. William Black		39	M	Black	7' 0"	250	Medium	Dark	Slender	Healthy	None
42. Sarah White		26	F	White	5' 8"	140	Medium	Fair	Slender	Healthy	None
43. James Green		35	M	White	6' 4"	200	Medium	Fair	Slender	Healthy	None
44. Mary Black		31	F	Black	5' 11"	155	Medium	Dark	Slender	Healthy	None
45. John White		38	M	White	7' 1"	255	Medium	Fair	Slender	Healthy	None
46. Elizabeth Green		28	F	White	5' 10"	150	Medium	Fair	Slender	Healthy	None
47. William Black		40	M	Black	7' 2"	260	Medium	Dark	Slender	Healthy	None
48. Sarah White		27	F	White	5' 9"	145	Medium	Fair	Slender	Healthy	None
49. James Green		36	M	White	6' 5"	205	Medium	Fair	Slender	Healthy	None
50. Mary Black		32	F	Black	6' 0"	160	Medium	Dark	Slender	Healthy	None
51. John White		39	M	White	7' 3"	265	Medium	Fair	Slender	Healthy	None
52. Elizabeth Green		29	F	White	5' 11"	155	Medium	Fair	Slender	Healthy	None
53. William Black		41	M	Black	7' 4"	270	Medium	Dark	Slender	Healthy	None
54. Sarah White		28	F	White	5' 10"	150	Medium	Fair	Slender	Healthy	None
55. James Green		37	M	White	6' 6"	210	Medium	Fair	Slender	Healthy	None
56. Mary Black		33	F	Black	6' 1"	165	Medium	Dark	Slender	Healthy	None
57. John White		40	M	White	7' 5"	275	Medium	Fair	Slender	Healthy	None
58. Elizabeth Green		30	F	White	6' 2"	160	Medium	Fair	Slender	Healthy	None
59. William Black		42	M	Black	7' 6"	280	Medium	Dark	Slender	Healthy	None
60. Sarah White		29	F	White	5' 11"	155	Medium	Fair	Slender	Healthy	None
61. James Green		38	M	White	6' 7"	215	Medium	Fair	Slender	Healthy	None
62. Mary Black		34	F	Black	6' 3"	170	Medium	Dark	Slender	Healthy	None
63. John White		41	M	White	7' 7"	285	Medium	Fair	Slender	Healthy	None
64. Elizabeth Green		31	F	White	6' 4"	165	Medium	Fair	Slender	Healthy	None
65. William Black		43	M	Black	7' 8"	290	Medium	Dark	Slender	Healthy	None
66. Sarah White		30	F	White	6' 1"	170	Medium	Fair	Slender	Healthy	None
67. James Green		39	M	White	6' 8"	220	Medium	Fair	Slender	Healthy	None
68. Mary Black		35	F	Black	6' 4"	175	Medium	Dark	Slender	Healthy	None
69. John White		42	M	White	7' 9"	295	Medium	Fair	Slender	Healthy	None
70. Elizabeth Green		32	F	White	6' 5"	170	Medium	Fair	Slender	Healthy	None
71. William Black		44	M	Black	7' 10"	300	Medium	Dark	Slender	Healthy	None
72. Sarah White		31	F	White	6' 2"	175	Medium	Fair	Slender	Healthy	None
73. James Green		40	M	White	6' 9"	225	Medium	Fair	Slender	Healthy	None
74. Mary Black		36	F	Black	6' 5"	180	Medium	Dark	Slender	Healthy	None
75. John White		43	M	White	7' 11"	305	Medium	Fair	Slender	Healthy	None
76. Elizabeth Green		33	F	White	6' 6"	175	Medium	Fair	Slender	Healthy	None
77. William Black		45	M	Black	8' 0"	310	Medium	Dark	Slender	Healthy	None
78. Sarah White		32	F	White	6' 3"	180	Medium	Fair	Slender	Healthy	None
79. James Green		41	M	White	7' 0"	230	Medium	Fair	Slender	Healthy	None
80. Mary Black		37	F	Black	6' 6"	185	Medium	Dark	Slender	Healthy	None
81. John White		44	M	White	8' 0"	315	Medium	Fair	Slender	Healthy	None
82. Elizabeth Green		34	F	White	6' 7"	180	Medium	Fair	Slender	Healthy	None
83. William Black		46	M	Black	8' 1"	320	Medium	Dark	Slender	Healthy	None
84. Sarah White		33	F	White	6' 4"	185	Medium	Fair	Slender	Healthy	None
85. James Green		42	M	White	7' 1"	235	Medium	Fair	Slender	Healthy	None
86. Mary Black		38	F	Black	6' 7"	190	Medium	Dark	Slender	Healthy	None
87. John White		45	M	White	8' 2"	325	Medium	Fair	Slender	Healthy	None
88. Elizabeth Green		35	F	White	6' 8"	185	Medium	Fair	Slender	Healthy	None
89. William Black		47	M	Black	8' 3"	330	Medium	Dark	Slender	Healthy	None
90. Sarah White		34	F	White	6' 5"	190	Medium	Fair	Slender	Healthy	None
91. James Green		43	M	White	7' 2"	240	Medium	Fair	Slender	Healthy	None
92. Mary Black		39	F	Black	6' 8"	195	Medium	Dark	Slender	Healthy	None
93. John White		46	M	White	8' 4"	335	Medium	Fair	Slender	Healthy	None
94. Elizabeth Green		36	F	White	6' 9"	190	Medium	Fair	Slender	Healthy	None
95. William Black		48	M	Black	8' 5"	340	Medium	Dark	Slender	Healthy	None
96. Sarah White		35	F	White	6' 6"	195	Medium	Fair	Slender	Healthy	None
97. James Green		44	M	White	7' 3"	245	Medium	Fair	Slender	Healthy	None
98. Mary Black		40	F	Black	6' 9"	200	Medium	Dark	Slender	Healthy	None
99. John White		47	M	White	8' 6"	345	Medium	Fair	Slender	Healthy	None
100. Elizabeth Green		37	F	White	7' 0"	200	Medium	Fair	Slender	Healthy	None

The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 6, on Contract No. P02-2177-C1A.

The Commission further V O T E D: to approve Extra Work Order No. 6, at a total cost of \$6,048.70.

1. Report of Messrs. Faucher, Misslin and Sodano, May 7, recommending approval of Extra Work Order No. 5 - for emergency repairs to an abandoned 4" water line - at a cost of \$14,191.00, on Contract No. PL95-031-C1A, with Fleming Brothers, Inc., for Construction of Abigail Adams Park, Back River Reservation.
(At no increase in Contract cost as the extra work will be offset by unused quantities in mobile field office - \$3,500.00, straight curbing - \$1,560.00, curved curbing - \$2,637.00, 15" RCP - \$120.00, 18" RCP - \$60.00, 24" RCP - \$1,000.00, construction fence - \$3,040.00, ¾" water service - \$1,000.00 and traffic controls - \$1,274.00.)
The Commission V O T E D: to approve Extra Work Order No. 5, at a cost of \$14,191.00.
2. Report of Messrs. Faucher, Misslin and Haider, May 12, requesting approval of Extra Work Order No. 2 - for installation of Backflow Preventers to meet the deadline established by the Clean State Administrative Consent Order - at a cost of \$15,680.87, on Contract No. P01-2125-M1A, with P. J. Kennedy and Sons, Inc., for Service and Maintenance of HVAC Systems at Various MDC Facilities.
Funding from Account No. 2440-4994.
The Commission V O T E D: to approve Extra Work Order No. 2, at a cost of \$15,680.87.
3. Report of Messrs. Faucher, Misslin and Haider, May 13, requesting that the Commission Amend its vote of April 10, 2003, concerning funding of \$7,500.00 for Extra Work Order No. 3, on Contract No. P01-2125-M1A, for Service and Maintenance of HVAC Systems at Various MDC Facilities, by changing the source of funding from Account No. 2440-8952 to Account No. 2440-7991.
4. Report of Messrs. Faucher and Soroka, May 9, recommending approval of an extension of time from July 31, 2003 to July 1, 2005, on Contract No. P93-1698-D1A, with Vollmer Associates, LLP, for Rehabilitation of Nahant Beach Reservation, due to the need for proper review and evaluation of existing conditions, conceptual development and coordination with regulatory agencies.
The Commission V O T E D: Approved.
Mr. Jewett has been requested to prepare the Amendment for Commission execution.
5. Report of Messrs. Faucher, Misslin and Haider, May 13, recommending approval of revisions in quantities on Contract No. P01-2125-M1A, with P. J. Kennedy and Sons, Inc., for Service Maintenance of HVAC Systems at Various MDC Facilities, as follows -

Item No. 001-040 - Materials and Parts -	\$4,072.00
Item No. 001-010 - Licensed Technician -	<u>\$4,928.00</u>
Total -	\$9,000.00

Funding from Account No. 2440-7992.
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Soroka, May 15, recommending approval of a revision in quantities on Item No. 004-020 - Labor Rate for Licensed Electrician (Serviceman) - \$14,500.00, on Contract No. P02-2142-M1A, with Coviello Electric and General Contracting Co., Inc, for Servicing Traffic Signal and Control Systems, Charles River Basin Districts.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 040-010 -Labor Rate for Licensed Electrician (Controller Technician.)
The Commission V O T E D: Approved.
2. Report of Messrs. Faucher and Orfant, May 5, requesting approval of revisions in quantities on Contract No. P02-2162-C1A, with Roads Corporation, for Historic Parkways Initiative: Memorial Drive Demonstration Project, as follows:

Item No.	Orig.	Addtl	Unit	Item	Unit Price	Contract Value	Revised Value	\$ Change
187-300	15	135	CY	Removal/Disposal Drainage Structure Sediments	\$120	\$1,800	\$18,000	\$16,200
504-000	1,300	700	LF	Granite Curb Straight	\$28	\$36,400	\$56,000	\$19,600
504-100	3,350	-2,350	LF	Granite Curb Curved	\$30	\$100,500	\$30,000	-\$70,500
580-000	5,100	500	LF	Curb, Remove & Reset	\$18	\$91,800	\$100,800	\$9,000
594-000	4,200	-2,200	LF	Curb, Remove & Discard	\$5.60	\$23,520	\$11,200	-\$12,320
665-130	680	368	LF	Clean & Paint Bridge Rail	\$85	\$57,800	\$89,080	\$31,280
665-140	8	4	EA	Clean/Paint Existing Post	\$1,500	\$12,000	\$18,000	\$6,000
767-800	2,150	168	EA	Hay Bales	\$12	\$25,800	\$27,816	\$2,016
853-410	1	1	EA	Temp. Impact Attenuator	\$1,000	\$1,000	\$3,000	\$2,000
853-411	1	2	EA	Temp. Impact Attenuator for Shoulder	\$1,000	\$1,000	\$3,000	\$2,000
994-100	1	-1	LS	Temporary Protection Shielding	\$5,000	\$5,000	\$0.00	-\$5,000

Increases in Items 187-300, 504-000, 580-000, 665-130, 665-140, 767-800, 853-410 and 853-411 totaling \$92,096.00 will be partially offset by reductions in Items 504-100, 594-000 and 994-100 equaling \$87,820.00 for a total additional cost of \$4,276.00
Funding for these revisions is available in Account No. 2490-0017.
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Sciortino, May 9, requesting approval of and authorization to advertise Contract No. WM02-060-C1A, for Sudbury Reservoir Dam - Spillway, Wing Walls and Gatehouse Upstream Repairs, Southborough.
Time for Performance - four month from Notice to Proceed.
Estimated Cost - not to exceed \$400,000.00.
Funding from Account No. 2420-2012.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Contract No. WM02-060-C1A, for Sudbury Reservoir Dam - Spillway, Wing Walls and Gatehouse Upstream Repairs, Southborough.
2. Report of Messrs. Church and Abounaja, April 10, requesting approval of the award of Contract No. WM03-040-D2A, for Licensed Site Professional Services for the MDC Facility at Fellsway West, Medford/Malden Line, to CDW Consultant, at a cost of \$6,520.00.
Funding from Account No. 2440-4994.
The Commission V O T E D: Approved.
3. Report of Messrs. McGinn and Baratta, April 14, requesting approval of Amendment No. 2 to ensure that construction of the Cambridge Street Project is conducted in accordance with the plans and specifications and completed on time - at a cost of \$172,340.00 and an extension of time from June 30, 2003 to June 30, 2005 - to provide services through construction completion dates for final phase and Cambridge Street Construction schedules, on Contract No. WM98-061-X10A, with Weston and Sampson Engineers, Inc., for Cambridge Street Sewer Relief Construction.
Funding from Account No. 2420-4995.
The Commission V O T E D: Approved.
Enclosed is copy of report of Messrs. McGinn and Baratta.
Kindly prepare the Amendment for Commission execution.
4. Report of Messrs. McGinn and Baratta, February 13, requesting award and execution of Contract No. WM00-061-C1A, for Cambridge Street Relief Sewer in Worcester, to R. Zoppo Corporation with the lowest bid received, in the amount of \$1,218,815.36.
Estimated Time for Performance - nine months.
Account No. 2420-4995.
The Commission V O T E D: to award Contract No. WM00-061-C1A, for Cambridge Street Relief Sewer in Worcester, R. Zoppo Corporation with the lowest bid received, in the amount of \$1,218,185.36.
The Secretary then submitted for signature, Contract No. WM00-061-C1A, dated May 22, 2003, with R. Zoppo Corporation, which was signed by the Commissioner and four Associate Commissioners.
The executed copies of the Contract have been forwarded to the Office of General Counsel for approval as to form.

Action was taken upon the following Various Matters:

1. Report of the Concession Selection Committee, May 16, recommending that Nick Papageorgiou of Nick's Canteen Service, the vendor who was awarded the food service concession at Pope John Paul Park for the 2003 through 2007 seasons, at the Commission Meeting of May 8, 2003, be permitted to withdraw his bid, due to the distance from his place of business and the park. The Committee V O T E D: to approve the recommendation of the Concession Selection Committee to permit Nick Papageorgiou of Nick's Canteen Service, the vendor who was awarded the food service concession at Pope John Paul Park for the 2003 through 2007 seasons, to withdraw his bid, due to the distance from his place of business and the park. The Commission further V O T E D: authorization to readvertise the location for proposals.
2. Report of Messrs Chisholm, Gray, Kelter and Jewett, May 20, requesting Commission approval to refer Boston Pushcart, Inc. to a debt collection agency listed on the Commonwealth's Master Service Agreement for further debt collection methods not within the capabilities of this agency. They further request the Commission bar Boston Pushcart, Inc., its successor or assigns, and entities affiliated with Boston Pushcart, Inc. or its principal, Joseph Bono, from bidding on or conducting further business activities with the MDC or on its property, including, but not limited to, the issuance of any concession permit agreement for mobile or fixed concession activities or any rights under a subcontract for such concession activities. The Commission V O T E D: to refer Boston Pushcart, Inc. to a debt collection agency listed on the Commonwealth's Master Service Agreement for further debt collection methods not within the capabilities of this agency. The Commission further V O T E D: to bar Boston Pushcart, Inc., its successor or assigns, and entities affiliated with Boston Pushcart Inc. or its principal, Joseph Bono, from bidding on or conducting further business activities with the MDC or on its property, including, but not limited to, the issuance of any concession permit agreement for mobile or fixed concession activities or any rights under a subcontract for such concession activities.

Adjourned at 9:25 a.m., to meet on Thursday, May 29, 2003.


Secretary

1874

THE STATE OF NEW YORK

In SENATE,
January 15, 1874.
REPORT
OF THE
COMMISSIONERS OF THE LAND OFFICE,
IN ANSWER TO A RESOLUTION
PASSED BY THE SENATE
MAY 1, 1873.
ALBANY:
J. B. LIPPINCOTT & CO. PRINTERS.
1874.

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1874.

THE STATE OF NEW YORK

Record of the Four Thousand Seventy Fourth (4074th) Meeting of the Metropolitan District Commission duly called and held at MDC Headquarters Building, 20 Somerset Street, Boston, Massachusetts, on Thursday, May 22, 2003.

Present, Acting Commissioner McKinney and Associate Commissioners Anzuoni, Elkort, Kahalas and Rollins.

The Records of the Commission Meeting held on May 8, 2003 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P03-2195-C1A, dated May 22, 2003, with D'Allessandro Corp., for Floor Drains, Sewer and Tanks, Various MDC Sites.
2. Contract No. P03-2197-C1A, dated May 22, 2003, with Tree Technology and Landscape Co., Inc., for Tree Removals and Pruning at Leo J. Martin Golf Course.
3. Contract No. P00-2083-C2A, dated May 22, 2003, with Tree Technology and Landscape Co., Inc., for 2003 – 2004 Arborcultural Improvements.

The Secretary then submitted for signature the following Concession Permits, dated May 22, 2003, which were signed by the Commissioner:

4.	LOCATION	VENDOR	COMPENSATION
	Houghton's Pond, Milton	Dean's Special Events, Inc. Mark Matarazzo	2003 - \$17,000.00 or 15% of gross sales. 2004 - \$17,500.00 or 15% of gross sales. 2005 - \$18,000.00 or 15% of gross sales. 2006 - \$18,500.00 or 15% of gross sales. 2007 - \$19,000.00 or 15% of gross sales. A total of \$90,000.00 for 5 years or 15% of gross sales, whichever is greater.
	Nahant Beach, Nahant	Dean's Special Events, Inc. Mark Matarazzo	\$9,000.00 or 15% of gross sales each year for a guarantee of \$45,000.00 or 15% of the gross sales for 5 years, whichever is greater.

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
DEPARTMENT OF CHEMISTRY
530 SOUTH EAST ASIAN AVENUE
CHICAGO, ILLINOIS 60607-7070
TEL: (773) 835-3121 FAX: (773) 835-3122
WWW: WWW.CHEM.UCHICAGO.EDU

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TO: [illegible]

SUBJECT: [illegible]

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LOCATION (CON.-)	VENDOR	COMPENSATION
Sandy Beach, Winchester	Nick's Canteen Service Nick Papageorgiou	\$23,000.00 for the 5 years which is \$4,600.00 for each of the 5 years.
Breakheart Reservation, \$3,600.00 Saugus	Nick's Canteen Service Nick Papageorgiou	\$18,000.00 for the 5 years combined – That is for each of the 5 years.
Georges Island Boston Harbor month September.	Silver Platters George Silva	\$15,000.00 – for the 2003 season - \$3,000.00 per - May through
Day Boulevard opposite the Murphy Rink, South Boston	Nicholas G. Faggas	2003 - \$6,600.00 2004 - \$6,700.00 2005 - \$6,800.00 2006 - \$6,900.00 2007 - \$7,000.00.

Also the Food Service Concession at the Hatch Shell, which was awarded to Boston Events Specialists Company, Inc., on April 17, 2003, for a period of five years with compensation to the Commission at \$126,000.00 for each of the five years of the Permit. In addition Boston Event Specialists Company, Inc. will pay the Commission 25% of gross revenues over \$500,000.00 for each year of the Permit. Compensation shall be paid in arrears monthly during the period of operations.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and DiRamio, May 8, requesting rejection of all general bids and sub-bids received on Contract No. P97-1905-C1A, for Rehabilitation of the John F. Thompson Center, due to the fact that the bids received for the project were between \$820,000.00 and \$1,367,973.00 over the allowable budget and that authority be granted to restructure the work into two separate documents – one for site improvements and other for building renovations. The Commission V O T E D: to reject all general bids and sub-bids received on Contract No. P97-1905-C1A, for Rehabilitation of the John F. Thompson Center, as requested by Messrs. Faucher and DiRamio in their report of May 8, 2003. The Commission further V O T E D: to grant authority to restructure the work into two separate documents – one for site improvements and other for building renovations

1. Report of Messrs. Faucher, Carrigan and Machado, May 8, recommending approval of the action of Deputy Commissioner Faucher resulting in Extra Work Order No. 6 – for emergency repair work for a collapsed catch basin at the intersection of Fresh Pond Parkway and Mt. Auburn Street and emergency roadway repair work to pot-holes on Memorial Drive, Cambridge, on April 9 and 10, 2003 – at a total cost of \$6,048.70, on Contract No. P02-2177-C1A, with D & R General Contracting, Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District.
(At no increase in Contract cost as the extra work will be offset by unused quantities in Item Nos. 002-010 and 007-010).
The Commission V O T E D: to approve the action of Deputy Commissioner Faucher which resulted in Extra Work Order No. 6, on Contract No. P02-2177-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 6, at a total cost of \$6,048.70
2. Report of Messrs. Faucher, Misslin and Sodano, May 7, recommending approval of Extra Work Order No. 5 – for emergency repairs to an abandoned 4” water line – at a cost of \$14,191.00, on Contract No. PL95-031-C1A, with Fleming Brothers, Inc., for Construction of Abigail Adams Park, Back River Reservation.
(At no increase in Contract cost as the extra work will be offset by unused quantities in mobile field office - \$3,500.00, straight curbing - \$1,560.00, curved curbing - \$2,637.00, 15” RCP - \$120.00, 18” RCP - \$60.00, 24” RCP - \$1,000.00, construction fence - \$3,040.00, ¾” water service - \$1,000.00 and traffic controls - \$1,274.00).
The Commission V O T E D: to approve Extra Work Order No. 5, at a cost of \$14,191.00.
3. Report of Messrs. Faucher, Misslin and Haider, May 12, requesting approval of Extra Work Order No. 2 – for installation of backflow Preventers to meet deadline established by the Clean State Administrative Consent Order – at a cost of \$15,680.87, on Contract No. P01-2125-M1A, with P. J. Kennedy and Sons, Inc., for Service and Maintenance of HVAC Systems at Various MDC Facilities.
Funding from Account No. 2440-4994.
The Commission V O T E D: to approve Extra Work Order No. 2, at a cost of \$15,680.87.
4. Report of Messrs. Faucher, Misslin and Haider, May 13, requesting that the Commission Amend its vote of April 10, 2003 concerning funding of \$7,500.00 for Extra Work Order No. 3, on Contract No. P01-2125-M1A, for Service and Maintenance of HVAC Systems at Various MDC Facilities, by changing the source of funding from Account No. 2440-8952 to Account No. 2440-7991.
The Commission V O T E D: to Amend its vote of April 10, 2003 concerning funding of \$7,500.00 for Extra Work Order No. 3, on Contract No. P01-2125-M1A, for Service and Maintenance of HVAC Systems at Various MDC Facilities, by changing the source of funding from Account No. 2440-8952 to Account No. 2440-7991.
5. Report of Messrs. Faucher and Soroka, May 9, recommending approval of an extension of time from July 31, 2003 to July 1, 2005, on Contract No. P93-1698-D1A, with Vollmer Associates, LLP, for Rehabilitation of Nahant Beach Reservation, due to the need for proper review and

evaluation of existing conditions, conceptual development and coordination with regulatory agencies.

The Commission V O T E D: Approved.

1. Report of Messrs. Faucher, Misslin and Haider, May 13, recommending approval of revisions in quantities on Contract No. P01-2125-M1A, with P. J. Kennedy and Sons, Inc., for Service Maintenance of HVAC Systems at Various MDC Facilities, as follows –

Item No. 001-040 –Materials and Parts - \$4,072.00

Item No. 001-010 – Licensed Technician - \$4,928.00

Total - \$9,000.00

Funding from Account No. 2440-7992.

The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Soroka, May 15, recommending approval of a revision in quantities on Item No. 004-020 – Labor Rate for Licensed Electrician (Serviceman) - \$14,500.00, on Contract No. P02-2142-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Charles River Basin Districts. (At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 004-010 – Labor Rate for Licensed Electrician (Controller Technician).

The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Orfant, May 5, requesting approval of revisions in quantities on Contract No. P02-2162-C1A, with Roads Corporation, for Historic Parkways Initiative: Memorial Drive Demonstration Project, as follows –

Item No.	Orig.	Addit'l	Unit	Item	Unit Price	Contract Value	Revised Value	\$ Change
187-300	15	135	CY	Removal/ Disposal Drainage Structure Sediments	\$120.	\$1,800	\$18,000	\$16,200
504-000	13,00	700	LF	Granite Curb Straight	\$28.	\$36,400	\$56,000	\$19,600
504-100	3,350	-2,350	LF	Granite Curb Curved	\$30	\$100,500	\$30,000	-\$70,500
580-000	5,100	500	LF	Curb, Remove & Reset	\$18	\$91,800	\$100,800	\$9,000
594-000	4,200	-2,200	LF	Curb Remove & Discard	\$5.60	\$23,520	\$11,200	-\$12,320
665-130	680	368	LF	Clean & Paint Bridge Rail	\$85.00	\$57,800	\$89,080	\$31,280
665-140	8	4	EA	Clean/Paint Existing Post	\$1,500	\$12,000	\$18,000	\$6,000

Item No.	Orig.	Addit'l	Unit	Item	Unit Price	Contract Value	Revised Value	\$ Change
767-800	2,150	168	EA	Hay Bales	\$12	\$25,800	\$27,816	\$2,016
853-410	1	1	EA	Temp. Impact Attenuator	\$1,000	\$1,000	\$3,000	\$2,000
853-411	1	2	EA	Temp Impact Attenuator for Shoulder	\$1,000	\$1,000	\$3,000	\$2,000
994-100	1	-1	LS	Temporary Protection Shielding	\$5,000	\$5,000	\$0.00	-\$5,000

Increases in Items 187-300, 504-000, 580-000, 665-130, 665-140, 767-800, 853-410 and 853-411 totaling \$92,096.00 will be partially offset by reductions in Items 504-100, 594-000 and 994-100 equaling \$87,820.00 for a total additional cost of \$4,276.00.

Funding for these revisions is available in Account No. 2490-0017.

The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs McGinn and Sciortino, May 9, requesting approval of and authorization to advertise Contract No. WM02-060-C1A, for Sudbury Reservoir Dam – Spillway, Wing Walls, and Gatehouse Upstream Repairs, Southborough.
Time for Performance – four months from Notice to Proceed.
Estimated Cost – not-to-exceed \$400,000.00.
Funding from Account No. 2420-2012.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Contract No. WM02-060-C1A, for Sudbury Reservoir Dam – Spillway, Wing Walls, and Gatehouse Upstream Repairs, Southborough.
2. Report of Messrs. Church and Abounaja, April 10, requesting approval of the award of Contract No. WM03-040-D2A, for Licensed Site Professional Services for the MDC Facility at Fellsway West, Medford/Malden Line, to CDW Consultant, at a cost of \$6,520.00.
Funding from Account No. 2440-4994.
The Commission V O T E D: Approved.
3. Report of Messrs. McGinn and Baratta, April 14, requesting approval of Amendment No. 2 to ensure that construction of the Cambridge Street Project is conducted in accordance with the plans and specifications and completed on time - at a cost of \$172,340.00 and an extension of time from June 30, 2003 to June 30, 2005 – to provide services through construction completion dates for final phase and Cambridge Street Construction schedules, on Contract No. WM98-061-X10A, with Weston and Sampson Engineers, Inc., for Cambridge Street Sewer Relief Construction.

Funding from Account No. 2420-4995.
The Commission V O T E D: Approved.

1. Report of Messrs. McGinn and Baratta, February 13, requesting award and execution of Contract No. WM00-061-C1A, for Cambridge Street Relief Sewer in Worcester, to R. Zoppo Corporation with the lowest bid received, in the amount of \$1,218,185.36.
Estimated Time for Performance – nine months.
Account No. 2420-4995.
The Commission V O T E D: to award Contract No. WM00-061-C1A, for Cambridge Street Relief Sewer in Worcester, to R. Zoppo Corporation with the lowest bid received, in the amount of \$1,218,185.36.
The Secretary then submitted for signature Contract No. WM00-061-C1A, dated May 22, 2003, with R. Zoppo Corporation, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following Various Matters:
2. Report of the Concession Selection Committee, May 16, recommending that Nick Papageorgiou of Nick's Canteen Service, the vendor who was awarded the food service concession at Pope John Paul Park for the 2003 through 2007 seasons, at the Commission Meeting of May 8, 2003, be permitted to withdraw his bid, due to the distance from his place of business and the park.
The Committee further requests authorization to readvertise the location for proposals.
The Commission V O T E D: to approve the recommendation of the Concession Selection Committee to permit Nick Papageorgiou of Nick's Canteen Service, the vendor who was awarded the food service concession at Pope John Paul Park for the 2003 through 2007 seasons, to withdraw his bid, due to the distance from his place of business and the park.
The Commission further V O T E D: authorization to readvertise the location for proposals
3. Report of Messrs. Chisholm, Gray, Kelter and Jewett, May 20, requesting Commission approval to refer Boston Pushcart, Inc. to a debt collection agency listed on the Commonwealth's Master Service Agreement for further debt collection methods not within the capabilities of this agency.
They further request the Commission bar Boston Pushcart, Inc., its successor or assigns, and entities affiliated with Boston Pushcart Inc. or its principal, Joseph Bono, from bidding on or conducting further business activities with the MDC or on its property, including, but not limited to the issuance of any concession permit agreement for mobile or fixed concession activities or any rights under a subcontract for such concession activities.
The Commission V O T E D: to refer Boston Pushcart, Inc. to a debt collection agency listed on the Commonwealth's Master Service Agreement for further debt collection methods not within the capabilities of this agency.
The Commission further V O T E D: to bar Boston Pushcart, Inc., its successor or assigns, and entities affiliated with Boston Pushcart Inc. or its principal, Joseph Bono, from bidding on or conducting further business activities with the MDC or on its property, including, but not

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry, no matter how small, should be carefully documented to ensure the integrity of the financial data. This includes recording dates, amounts, and the nature of the transactions.

Secondly, the document outlines the procedures for reconciling the accounts. It states that a regular reconciliation process should be followed to identify and correct any discrepancies between the internal records and the external statements. This process is crucial for maintaining the accuracy of the financial statements.

Thirdly, the document addresses the issue of internal controls. It suggests implementing a system of checks and balances to prevent errors and fraud. This involves assigning specific responsibilities to different individuals and ensuring that there is a clear separation of duties.

Finally, the document concludes by stressing the importance of transparency and accountability. It encourages the organization to maintain open communication with stakeholders and to provide regular updates on the financial performance. This helps in building trust and ensuring that the organization is operating in a responsible and ethical manner.

limited to the issuance of any concession permit agreement for mobile or fixed concession activities or any rights under a subcontract for such concession activities.

Adjourned at 9:25 a.m., to meet on Thursday, May 29, 2003 at 9:00 a.m.

S e c r e t a r y

Record of the Four Thousand Seventy Fifth (4075th) Meeting of the Metropolitan District Commission duly called and held at MDC Headquarters Building, 20 Somerset Street, Boston, Massachusetts, on Thursday, May 22, 2003.

Present, Acting Commissioner McKinney and Associate Commissioners Anzuoni, Elkort, Kahalas and Rollins.

The Records of the Commission Meeting held on May 15, 2003 were read and approved.

Action was taken on the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Misslin and Gabra, May 16, requesting approval of Extra Work Order No. 3- for repair of leakage from 6" ductile iron water main pipe through the deck at the Allston-Brighton Pool - at a cost of \$28,307.00, on Contract No. P03-2204-C1A, with Eagle Point Builders, Inc., for Miscellaneous Pool and Bathhouse Repairs at Various MDC Locations. (The cost of the extra work will be offset by \$11,306.00 from Items 3.0 through 8.0 and \$17,001.00 from Account No. 2440-7992.)
The Commission V O T E D: to approve Extra Work Order No. 3, at a cost of \$28,307.00.
2. Report of Messrs. Faucher, Misslin and Gabra, May 20, requesting approval of an extension of time from May 30, 2003 to June 15, 2003, on Contract No. P02-2143-M1A, with Boston Fuel Injection, Inc., for Regasketing of Four Diesel Engines at Charles River and Amelia Earhart Dams, due to the fact that back ordered parts have not been received. (At no additional Contract cost.)
The Commission V O T E D: to approve an extension of time from May 30, 2003 to June 15, 2003 as requested by Messrs. Faucher, Misslin and Gabra in their report of May 20, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
3. Report of Messrs. Faucher, Misslin and Sodano, May 12, on bids for Water Line Repairs at the Herter Park Center, Brighton - Contract No. P03-2214-C1A.
(Messrs. Faucher, Misslin and Sodano recommend acceptance of the lowest bid received that of D'Allessandro Corp., of \$4,670.00 plus the option of expending an additional \$200.00 for any required asbestos remediation.)
The Commission V O T E D: to accept the lowest bid received, that of D'Allessandro Corp., of \$4,670.00 plus the option of expending an additional \$200.00 for any required asbestos abatement.
4. Report of Messrs. Faucher, Misslin and Haider, May 20, on bids for Maintenance and Service to Underwater Structures at Various Flood Control/Navigation Sites - Contract No. P03-2209-M1A. (This is a two-year contract.)
(Messrs. Faucher, Misslin and Haider recommend acceptance of the lowest bid received that of Inner Space Services, Inc., of \$222,280.00.)
The Commission V O T E D: to accept the lowest bid received that of Inner Space Services, Inc., of \$222,280.00.

1. Report of Messrs. Faucher and Griffin, May 21, recommending approval of an extension of time from June 7, 2003 to July 31, 2003, on Contract No. P02-2137-C1A, with SPS New England, Inc., for Repairs to Woods Memorial Bridge, Everett/Medford, due to additional work required for the live load bearings and the toe locks.
(At no increase in Contract cost.)
The Commission V O T E D: to approve an extension of time from June 7, 2003 to July 31, 2003 as requested by Messrs. Faucher and Griffin in their report of May 21, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
2. Report of Mrs. Overton Bussell and Messrs. Faucher and Orfant, May 20, requesting that the Commission amend its vote of March 20, 2003 concerning Extra Work Claims 4, 5, 6 and 7 on Contract No. P95-1804-C1A, with McCourt Construction Company, for Dorchester Shores Beaches Restoration Program by changing the source of funding to Account No. 2440-2015.
The Commission V O T E D: to amend its vote of March 20, 2003 concerning funding for Extra Work Claims 4, 5, 6, and 7, on Contract No. P95-1804-C1A, with McCourt Construction Company, for Dorchester Shores Beaches Restoration Program by changing the source of funding to Account No. 2440-2015.
3. Report of Messrs. Faucher and Kirwin, March 26, recommending approval of revisions in quantities on Contract No. P02-2150-C1A, with Mario Susi & Son, Inc./Susi Brothers, for Traffic Safety Improvements, Morton Street, Boston - 3 locations.
 - Item No. 120-100-Unclassified - \$6,234.00
Excavation
 - Item No. 220-000-Drainage Structure - \$15,750.00
Adjusted
 - Item No. 223-000-Frame and Grate - \$5,500.00
(or Cover) Removed
and Reset
 - Item No. 460-000-Class I Bituminous - \$12,746.40
Concrete Pavement
Type I-1
 - Item No. 472-100-Class I Bituminous - \$7,758.72
Concrete Mixture
Various
 - Item No. 509-000-Granite Transition - \$391.50
Curb for Wheelchair
Ramps - Straight
 - Item No. 509-100-Granite Transition - \$1,890.35
Curb for Wheelchair
Ramps - Curved
 - Item No. 580-000-Curb Removed and - \$1,933.50
Reset
 - Item No. 701-100-Concrete Sidewalk - \$12,427.90
at Driveways
 - Item No. 806-300-3" Electrical Conduit - \$105.00
Type RM Galvanized
Steel

22

The first part of the paper is devoted to a discussion of the general principles of the theory of the structure of the atom. It is shown that the structure of the atom is determined by the laws of quantum mechanics, and that the laws of quantum mechanics are based on the principle of the conservation of energy.

The second part of the paper is devoted to a discussion of the application of the theory of the structure of the atom to the study of the properties of matter. It is shown that the theory of the structure of the atom can be used to explain the properties of matter, such as its electrical conductivity, its magnetic properties, and its optical properties.

The third part of the paper is devoted to a discussion of the application of the theory of the structure of the atom to the study of the properties of the nucleus. It is shown that the theory of the structure of the atom can be used to explain the properties of the nucleus, such as its stability, its size, and its energy levels.

The fourth part of the paper is devoted to a discussion of the application of the theory of the structure of the atom to the study of the properties of the elementary particles. It is shown that the theory of the structure of the atom can be used to explain the properties of the elementary particles, such as their mass, their spin, and their interactions.

The fifth part of the paper is devoted to a discussion of the application of the theory of the structure of the atom to the study of the properties of the universe. It is shown that the theory of the structure of the atom can be used to explain the properties of the universe, such as its expansion, its contraction, and its ultimate fate.

The sixth part of the paper is devoted to a discussion of the application of the theory of the structure of the atom to the study of the properties of the human body. It is shown that the theory of the structure of the atom can be used to explain the properties of the human body, such as its growth, its development, and its health.

Item No. 811-018-Electric Handhole - 18" x 18"	\$3,000.00
Item No. 811-310- 12" x 12" Pull - Box (SD2.031)	\$1,200.00
Item No. 866-120-12" Reflectorized - White Line (Thermoplastic)	\$2,646.70
Item No. 999-300-Traffic Control - Services	\$10,000.00
Total	<hr/> \$81,584.07

(\$63,070.59 of the cost of revisions will be offset by unused quantities in certain items and \$18,513.48 of the revisions will be funded from Account No. 2490-9917, for a total of \$81,584.07.)

The Commission V O T E D: Approved.

Action was taken on the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and O'Connor, May 19, requesting approval of an extension of time from June 30, 2003 to July 31, 2003, for administrative purposes, on Contract No. WM94-003-C1A, with TASCOC Construction, Inc., for Remedial Repairs/Improvements for Public Safety Considerations, Beaman Street Bridge, West Boylston, due to the need to finalize contract documentation prior to final acceptance.
The Commission V O T E D: Approved.
2. Report of Messrs. McGinn and Scannell, May 14, requesting approval of Project Summary, Work Schedule, Project Justification and Authorization to Advertise Project No. WM03-082-X1A, for Wachusett Household Hazardous Waste Collection.
Time for Performance - one day.
Compensation - maximum of \$20,000.00.
Funding from Account No. 2420-1400.
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to advertise Project No. WM03-082-X1A, for Wachusett Household Hazardous Waste Collection.
3. Report of Messrs. McGinn and Church, May 20, recommending the following on Contract No. WM01-076-S1A, with Berkshire Pioneer/"RC&D," for Completion of Forest Management Plans on Private Lands Within MDC Watersheds -
(a) That work be accepted as completed as of May 20, 2003.
(b) That final invoice, in the amount of \$4,611.00 be approved for payment.
(Contract Compliance Rating - 9
with 10 being excellent.)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Berkshire Pioneer "RC&D", under Contract No. WM01-076-S1A, be and hereby is accepted as of May 20, 2003.

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The Commission further V O T E D: to approve the final invoice in the amount of \$4,611.00 for payment.

The Final has been forwarded to the Contract Administrator's office for processing.

Action was taken on the following matters relating to the Office of General Counsel:

1. Report of Ms. Murphy, May 22, recommending approval and execution of a proposed five-year license agreement by and between the MDC and the Boston Minuteman Council, Inc., for the continued use of Camp Nihan for the purpose of conducting an outdoor youth camp for Boy Scouts, an educational format for the advancement and protection of the environment, as well as leadership training.

The Commission V O T E D: Held Over.

2. Report of Mr. Collette, May 27, recommending that the Commission ratify the vote taken on August 2, 2001 and accept the conveyance of a conservation easement over 2.182 acres in Watertown, in accordance with Chapter 92, Section 79 of the Massachusetts General Laws and further VOTE: to accept the conveyance of this conservation easement from the current record owners Watertown RA LLC LCP Supermarkets Remainder 2000 LLC and execute the easement document.

The Commission V O T E D: to ratify the vote of the Commission at its meeting of August 2, 2001 and accept the conveyance of a conservation easement over 2.182 acres in Watertown, in accordance with Chapter 92, Section 79 of the Massachusetts General Laws.

The Commission further V O T E D: to accept the conveyance of this conservation easement from the current records owners Watertown RA LLC LCP Supermarkets Remainder 2000 LLC and execute the easement document.

Action was taken on the following items relating to Various Matters:

3. Report of the Concession Selection Committee, May 27, recommending award of the five-year food service concession permit at the McCormack Bathhouse, Day Boulevard, South Boston, to C. Chesley Food Service, L.L.C., for the sum of \$40,000.00 for each year of the five-year permit.

The Commission V O T E D: to award the five-year food service concession permit at the McCormack Bathhouse, Day Boulevard, South Boston, to C. Chesley Food Service, L.L.C. The annual compensation to the Commission shall be \$40,000.00 per year. Compensation to the Commission shall be paid in five monthly installments during each season over the course of the last four seasons. At the start of each season, Permittee shall pay first and last month's rent for the season. The other three payments shall be made on July 1, August 1 and September 1, of each season. Compensation for the first season shall be paid in four equal installments as follows: July 1; August 1; September 1; and October 1.

The Commission further V O T E D: to authorize Secretary Chisholm to execute the permit on behalf of the Commission.

4. Report of Mr. Jewett, May 28, recommending award of the following three (3) Contract-Agreements for Open Order Contract No. GC03-0001, for Professional Real Estate Appraisal Services (Park Land Acquisition Program FY2003) -

<u>Name</u>	<u>Value</u>	<u>Assignments</u>
Reynolds Company 304 Victory Road Quincy, MA 02171	\$ 38,000	7
Meredith & Grew, Inc. 160 Federal Street Boston, MA 02110-1701	\$ 22,100	5
E.W.H. Anderson Real Estate Consulting, Valuation and Preservation 20 Old Dana Road Petersham, MA 01366	\$ 9,000	2

Mr. Jewett further requests authorization for Commissioner McKinney to execute the Contract-Agreements on behalf of the Commission.

(Funds are available in Accounts Nos. 2440-8886 and 2420-1420, or successor accounts as determined by the Finance Office.)

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner McKinney to execute the Contract-Agreements on behalf of the Commission.

Kindly deliver to this office an executed copy of each Contract-Agreement for the files of the Commission.

1. Report of Mr. Jewett, May 28, recommending award of the following two (2) Contract-Agreements for Open Order Contract No. GC03-0001, for Professional Real Estate Title Examination Services (Park Land Acquisition Program FY2003) -

<u>Name</u>	<u>Value</u>	<u>Parcels</u>
Law Offices of Peter E. Flynn, P.C. 78 Essex Street Saugus, MA 01906	\$ 975	1
Nancy Mahoney Harris, Esq. 172 East Street Hingham, MA 02043	\$ 6,175	5

Mr. Jewett further requests authorization for Commissioner McKinney to execute the Contract-Agreements on behalf of the Commission.

(Funds are available in Accounts Nos. 2440-8886 and 2420-1420, or successor accounts as determined by the Finance Office.)

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner McKinney to execute the Contract-Agreements on behalf of the Commission.

Kindly deliver to this office an executed copy of each Contract-Agreement for the files of the Commission.

1. Report of Mr. Jewett, May 28, recommending award of the following two (2) Contract-Agreements for Open Order Contract No. GC03-0002, for Professional Real Estate Title Examination Services (Watershed Land Acquisition Program FY2003) -

<u>Name</u>	<u>Value</u>	<u>Parcels</u>
Law Offices of Peter E. Flynn, P.C. 78 Essex Street Saugus, MA 01906	\$ 9,225	9
Nancy Mahoney Harris, Esq. 172 East Street Hingham, MA 02043	\$ 4,675	3

Mr. Jewett further requests authorization for Commissioner McKinney to execute the Contract-Agreements on behalf of the Commission.

(Funds are available in Account No. 2421-9936, or a successor account or accounts as determined by the Finance Office.)

The Commission V O T E D: Approved.

The Commission further V O T E D: authorization for Commissioner McKinney to execute the Contract-Agreement on behalf of the Commission.

Kindly deliver to this office an executed copy of each Contract-Agreement for the files of the Commission.

Adjourned at 9:30 a.m., to meet on Thursday, June 5, 2003 at 9:00 a.m.


Secretary

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Part 2. Summary of the results of the study.

The results of the study are summarized in the following table:

Year	1998	1999	2000	2001	2002
1998	1000	1000	1000	1000	1000
1999	1000	1000	1000	1000	1000
2000	1000	1000	1000	1000	1000
2001	1000	1000	1000	1000	1000
2002	1000	1000	1000	1000	1000

The results of the study are summarized in the following table:

1998	1000	1000	1000	1000	1000
1999	1000	1000	1000	1000	1000
2000	1000	1000	1000	1000	1000
2001	1000	1000	1000	1000	1000
2002	1000	1000	1000	1000	1000

The results of the study are summarized in the following table:

1998	1000	1000	1000	1000	1000
1999	1000	1000	1000	1000	1000
2000	1000	1000	1000	1000	1000
2001	1000	1000	1000	1000	1000
2002	1000	1000	1000	1000	1000

Record of the Four Thousand Seventy Sixth (4076th) Meeting of the Metropolitan District Commission duly called and held at MDC Headquarters Building, 20 Somerset Street, Boston, Massachusetts, on Thursday, June 5, 2003.

Present, Acting Commissioner McKinney and Associate Commissioners Anzuoni, Elkort, Kahalas and Rollins.

The Records of the Commission Meeting held on May 29, 2003 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P03-2214-C1A, dated June 15, 2003, with D'Allessandro Corp., for Water Line Repairs at the Herter Park Center, Brighton.

Action was taken on the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Misslin and Gabra, May 23, requesting approval of an extension of time from June 17, 2003 to July 1, 2003, on Contract No. P03-2204-C1A, with Eagle Point Builders, Inc., for Miscellaneous Pool and Bath House Repairs, Various MDC Locations, due to the need for additional work at Dilboy Pool, Dealtry Pool, Latta Pool, Allston/Brighton Pool and Cleveland Circle Pool.

The Commission V O T E D: to approve an extension of time from June 17, 2003 to July 1, 2003, as requested by Messrs. Faucher, Misslin and Gabra in their report of May 23, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher, Misslin and Gabra, May 23, requesting approval of Project Summary, Work Schedule, Project Justification and authorization to advertise Project No. P03-2222-C1A, for Installation of New Dehumidifier System at the Cronin Memorial Skating Rink, Revere.

Time for Performance - ninety days.

Estimated Cost - \$100,000.00.

Funding from Account No. 2440-7992.

The Commission V O T E D: Approved.

The Commission further V O T E D: permission to advertise Project No. P03-2222-C1A, for Installation of New Dehumidifier System at the Cronin Memorial Skating Rink, Revere.

Associate Commissioner Anzuoni did not participate in discussion nor vote on this item.

4. Report of Messrs. Faucher, Misslin and Balicki, May 27, requesting approval of Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P03-2217-C1A, for Oil-Water Separators for Ice Rinks, Various MDC Locations.

Time for Performance - ten weeks.

Compensation - \$110,000.00.

Funding under Account No. 2440-4994.

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Received of the Treasurer of the County of ... the sum of ...

for the purchase of ...

the sum of ...

for the purchase of ...

the sum of ...

for the purchase of ...

the sum of ...

for the purchase of ...

the sum of ...

for the purchase of ...

the sum of ...

for the purchase of ...

(Contingent upon sufficient funds being made available through the budgetary appropriation process.)

The Commission V O T E D: Approved.

The Commission further V O T E D: permission to advertise Project No. P03-2217-C1A, for Oil-Water Separators for Ice Rinks, Various MDC Locations.

(Contingent upon sufficient funds being made available through the budgetary appropriation process.)

1. Report of Messrs. Faucher and Kirwin, May 13, on bids for Traffic Improvement Project - McGrath Highway (Route 28) - 3 Locations, Somerville - Contract No. P02-2191-C1A.
(Messrs. Faucher and Kirwin recommend acceptance of the lowest bid received, that of Charles Contracting Co., Inc., of \$1,783,487.50.)
The Commission V O T E D: to accept the lowest bid received, that of Charles Contracting Co., Inc., of \$1,783,487.50.
2. Report of Messrs. Faucher and Carrigan, May 22, on bids for Emergency Water Line Repairs on Storrow Drive - Contract No. P03-2215-C1A.
(Messrs. Faucher and Carrigan recommend acceptance of the lowest bid received, that of Fleming Brothers, Inc., of \$14,840.00. They further request that the Commission execute the Contract.)
The Commission V O T E D: to accept the lowest bid received, that of Fleming Brothers, Inc., of \$14,840.00.
The Secretary submitted the Contract which was executed by the Commissioner and four Associate Commissioners.
3. Report of Messrs. Faucher, Carrigan and MacLean, May 20, recommending approval of revisions in quantities and extra work orders on Contract No. P00-2087-C1A, with D'Allessandro Corp., for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Park System, as follows-

Revision in Quantities

Item No. 035-010 - Furnish and -	\$4,640.00
Install New SS Guard	
Rail & Post	
Item No. 037-010 - Furnish and -	\$148.05
Install Terminal	
End Section	
Item No. 038-010 - Furnish and Install -	\$884.04
Buried End Sections	

Extra Work Orders

No. 11 - Furnish and Install -	\$4,840.00
Removable Guardrail in the	
Median of the General	
Edwards Bridge, Lynn	

No. 11A- Furnish Removable - \$1,539.92
Guardrail for Use in the
Median of the General
Edwards Bridge, Lynn

Total \$12,052.01

(At no increase in Contract cost as the revisions in quantities and the extra work orders will be offset by unused quantities in Item No. 059-010- Repair or Replace Black Vinyl Clad Chain Link Fence 6-Foot High.)

The Commission V O T E D: to approve Revisions in Quantities on Item Nos. 035-010, 037-101 and 038-010.

The Commission further V O T E D: to approve Extra Work Order Nos. 11 and 11A.

1. Report of Messrs. Faucher and Kirwin, March 26, recommending approval of revisions in quantities on Contract No. P02-2150-C1A, with Mario Susi & Son, Inc./Susi Brothers, for Traffic Safety Improvements, Morton Street, Boston - 3 locations.

Revisions in Quantities

Item No. 120-100-Unclassified -	\$6,234.00
Excavation	
Item No. 220-000-Drainage Structure -	\$15,750.00
Adjusted	
Item No. 223-000-Frame and Grate -	\$5,500.00
(or Cover) Removed	
and Reset	
Item No. 460-000-Class I Bituminous -	\$12,746.40
Concrete Pavement	
Type I-1	
Item No. 472-100-Class I Bituminous -	\$7,758.72
Concrete Mixture	
Various	
Item No. 509-000-Granite Transition -	\$391.50
Curb for Wheelchair	
Ramps - Straight	
Item No. 509-100-Granite Transition -	\$1,890.35
Curb for Wheelchair	
Ramps - Curved	
Item No. 580-000-Curb Removed and -	\$1,933.50
Reset	
Item No. 701-100-Concrete Sidewalk -	\$12,427.90
at Driveways	
Item No. 806-300-3" Electrical Conduit -	\$105.00
Type RM Galvanized	
Steel	
Item No. 811-018-Electric Handhole -	\$3,000.00
18" x 18"	
Item No. 811-310- 12" x 12" Pull -	\$1,200.00
Box (SD2.031)	

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WINDMILL

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Item No. 866-120-12" Reflectorized -	\$2,646.70
White Line (Thermoplastic)	
Item No. 999-300-Traffic Control -	\$10,000.00
Services	
Total	<u>\$81,584.07</u>

(\$63,070.59 of the cost of revisions will be offset by unused quantities in certain items and \$18,513.48 of the revisions will be funded from Account No. 2490-9917, for a total of \$81,584.07.)

The Commission V O T E D: Approved.

1. Report of Messrs. Faucher, Misslin and Gabra, May 23, requesting approval of an extension of time from June 17, 2003 to July 1, 2003, on Contract No. P03-2204-C1A, with Eagle Point Builders, Inc., for Miscellaneous Pool and Bath House Repairs, Various MDC Locations, due to the need for additional work at Dilboy Pool, Dealtry Pool, Latta Pool, Allston/Brighton Pool and Cleveland Circle Pool.
The Commission V O T E D: to approve an extension of time from June 17, 2003 to July 1, 2003, as requested by Messrs. Faucher, Misslin and Gabra in their report of May 23, 2003, to be effective however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
 2. Report of Messrs. Faucher, Misslin and Sodano, May 28, recommending approval of an extension of time from June 30, 2003 to November 30, 2003, on Contract No. PL95-0310-C1A, with Fleming Brothers, Inc., for Construction of Abigail Adams Park, Back River Reservation, Weymouth, due to the fact that bulbs must be planted in the Fall.
(At no increase in Contract cost.)
The Commission V O T E D: to approve an extension of time from June 30, 2003 to November 30, 2003 as requested by Messrs. Faucher, Misslin and Sodano in their report of May 28, 2003, to be effective however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
- Action was taken on the following matters relating to the Watershed Management Division:
3. Report of Messrs. McGinn and Zimmerman, May 15, requesting approval of an extension of time from June 20, 2003 to June 30, 2004, on Contract No. WM02-076-X10A, with the Town of West Boylston, for the Town of West Boylston Comprehensive Plan, due to the need to complete the scope of the Contract.
The Commission V O T E D: to approve an extension of time from June 20, 2003 to June 30, 2004 as requested by Messrs. McGinn and Zimmerman in their report of May 15, 2003.
 4. Report of Messrs. McGinn and Zimmerman, May 15, requesting approval of an extension of time from June 20, 2003 to June 30, 2004, on Contract No. WM02-076-X7A, with the Town of

Holden, for the Holden Unified Stormwater Regulations, due to the need to complete the scope of the Contract.

The Commission V O T E D: to approve an extension of time from June 20, 2003 to June 30, 2004 as requested by Messrs. McGinn and Zimmerman in their report of May 15, 2003.

1. Report of Messrs. McGinn and Zimmerman, May 15, requesting approval of an extension of time from June 20, 2003 to June 30, 2004, on Contract No. WM02-076-X4A. with the Town of Rutland, for Planning Agent, for the Town of Rutland Planning Board, due to the need to complete the scope of the Contract.

The Commission V O T E D: to approve an extension of time from June 20, 2003 to June 30, 2004 as requested by Messrs. McGinn and Zimmerman in their report of May 15, 2003.

Action was taken on the following matters relating to the Office of General Counsel:

2. Report of Miss Murphy, May 22, recommending approval and execution of a proposed five-year license agreement by and between the MDC and the Boston Minuteman Council, Inc., for the continued use of Camp Nihan for the purpose of conducting an outdoor youth camp for Boy Scouts, an educational format for the advancement and protection of the environment, as well as leadership training.

The Commission V O T E D: Held Over.

Action was taken upon the following matter relating to Various Matters:

3. Report of the Concession Selection Committee, May 29, recommending the following concerning the food service concessions that were awarded to Nick Papageorgiou of Nick's Canteen Service at the Commission Meeting of May 5, 2003 -

1. That Mr. Papageorgiou be permitted to withdraw his proposals for Breakheart Reservation, Saugus and Sandy Beach, Winchester, without penalty.
2. That the Commission award the concession at Sandy Beach to Sandra Gatta O'Toole of Northeast Ice Cream, Inc., the second highest bidder for this location, with a bid of \$2,199.05 per season for 2003, 2004, 2005, 2006 and 2007.
3. That the concession location for Breakheart Reservation be readvertised as the only other proposal for this location was unacceptable.

The Commission V O T E D: to permit Mr. Papageorgiou to withdraw his proposals for Breakheart Reservation, Saugus and Sandy Beach, Winchester, without penalty.

The Commission further V O T E D: to award the concession at Sandy Beach, Winchester to Sandra Gatta O'Toole of Northeast Ice Cream, Inc., the second highest bidder for this location, with a bid of \$2,199.05 per season for 2003, 2004, 2005, 2006 and 2007.

The Commission further V O T E D: to readvertise for proposals for the concession location at Breakheart Reservation.


Secretary

Record of the Four Thousand Seventy Seventh (4077th) Meeting of the Metropolitan district Commission duly called and held at MDC Headquarters Building, 20 Somerset Street, Boston, Massachusetts on Thursday, July 12, 2003.

Present, Acting Commissioner McKinney and Associate Commissioners Anzuoni, Elkort, Kahalos and Rollins.

The records of the Commission Meeting held on May 29, 2003 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Acting Commissioner and four Associate Commissioners.

1. Amendment No. 3 to Contract No. PL95-036-D1A, with HNTB Corporation, for Design of Leverett Circle Pedestrian Bridge and Other Pedestrian Bridges and Improvements in Boston – at a cost of \$543,424.00.
(May 08, 2003 - Commission VOTED: Approved.)
2. Contract No. P02-2191-C1A, with Charles Contracting Co., Inc. for Traffic Improvement Project - McGrath Highway (Route 28) - 3 Locations, Somerville.
(June 5, 2003 - Commission voted to accept
the lowest bid received,
that of Charles Contracting, Inc.,
of \$1,783.487.50.)
3. Contract No. P03-2189-C1A, with D & R General Contracting, Inc., for Catch Basins and Manholes Adjusted or Rebuilt to Grade Throughout the Metro Area.
(June 5, 2003 - Commission voted to accept
the lowest bid received,
that of D & R General
Contracting, Inc.,
of \$99,050.00.)

Action was taken on the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Misslin and Kane, June 3, requesting approval of an extension of time from June 30, 2003 to July 31, 2003, on Contract No. P02-2138-C3A, with Aztech Construction Corp., for Construction of Concrete Deck and Handicap Ramp Footings, Insulation, Lath & Plastering and Painting at Breakheart Reservation, Saugus.
(The extension of time shall not operate as a waiver on the part of the Commission or in any of its rights under this contract.)

The Commission VOTED: to approve an extension of time from June 30, 2003 to July 31, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, if so required, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher, Misslin and Kane, June 3, requesting approval of an extension of time from June 27, 2003 to July 29, 2003, on Contract No P02-2171-C1A, with Shaw Construction Corporation, for Reconstruction of the Bernie King Pavilion, Nantasket Avenue, Hull.

(This extension under provisions of Article XXII will in no way affect the liquidated damages provision of Article XXI that may be due the Commission, and shall not operate as a waiver on the part of the Commission or in any of its rights under this Contract.)

The Commission VOTED: to approve an extension of time from June 27, 2003 to July 29, 2003, effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation and that this extension of time shall in no way affect the liquidated damages provision in Article No. XXI that may be due to the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract.

3. Report of Messrs. Faucher, Misslin and Sodano, May 28, recommending approval of Extra Work Claim No. 1 – for removal of buried concrete at the park – at a cost of \$8,924.00, on Contract No. PL95-031-C1A, with Fleming Brothers, Inc., for Construction of Abigail Adams Park, Back River Reservation, Weymouth. Funding from Account No. 2440-7991.

The Commission VOTED: to approve Extra Work Claim No. 1.

4. Report of Messrs. Faucher, Misslin and Haider, June 5, recommending approval of revisions in quantities on Contract No. P01-2125-M1A, with P. J. Kennedy and Sons, Inc., for Service Maintenance of HVAC Systems at Various MDC Facilities, as follows-

Item No.001-040 – Licensed Electrician	-	\$2,675.74
Item No.001-010 – Licensed Technician	-	<u>3,552.00</u>
Total	-	\$6,227.74

Funding from Account No. 2440-7992.

The Commission VOTED: Approved.

5. Report of Messrs. Faucher, Carrigan, and MacLean, May 29, recommending approval of revisions in quantities for Revisions No. 28, 29, 30 and 31 on Contract No. P00-2087-C1A, with D'Allessandro Corporation, for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Park System, as follows –

Revision No. 28

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Item No. 035-010 – Furnish and Install New SS - Guard Rail & Posts (Straight)	\$10,208.00
Item No. 037-010 – Furnish and Install Terminal - End Section	296.00
Total	<u>\$10,504.00</u>

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 010-010.)

Revision No. 29

Item No.035 -010 – Furnish and Install New SS Guard Rail & Posts (straight)	\$13,290.00
Item No 037-010 – Furnish and Install Terminal End Section	592.00
Total	<u>\$14,512.00</u>

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 010-010 and 012-010.)

Revision No. 30

Item No. 060-010 – Furnish and Install, Repair or replace Galvanized Steel Chain Link Fence 8ft. High	\$7,056.00
Total	<u>\$7,056.00</u>

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos.065-010 and 012-010.)

Revision No. 31

Item No. 060-010 – Furnish and Install, Repair or Replace Galvanized Steel Chain Link 8 ft. High	\$4,200.00
Total	<u>\$4,200.00</u>

(At no increase in Contract cost as the revision will be offset by unused quantities in Item Nos. 065-010, 067-010 and 068-010.)

The Commission VOTED: Approved.

6. Report of Messrs. Faucher, Carrigan and Machado, June 5, recommending approval of the action of Deputy Commissioner Faucher, resulting in Extra Work Order No. 2 – for emergency repairs to the Fenway – at a cost of \$69,604.91 and authorization for the contractor to engage the services of Site Development for specialized work at the Fenway, on Contract No. P02-2177-C1A, with D & R General Contracting, Inc., for Resurfacing MDC

1892

Jan 1st - 1892

Feb 1st - 1892

Mar 1st - 1892

Apr 1st - 1892

May 1st - 1892

June 1st - 1892

Parkways at Various Locations throughout the Metropolitan District Commission.

(At no increase in Contract cost as the extra work will be offset by unused quantities in Item Nos. 002-010 and 007-010.)

The Commission VOTED: to approve Extra Work Order No. 2 – in the sum \$69,604.91.

7. Report of Messrs. Faucher and Lenhardt, June 4, recommending approval of Extra Work Order No. 3 – for Furnishing and Installing Protective Barriers – at a cost of \$6,210.31 and a revision in quantities on Item No. 011-010 – for structural steel – at a cost of \$27,750.00 – at a total cost of \$33,960.31, on Contract No. P78-0639-C1A, with SPS New England, Inc., for Remedial Repairs to Longfellow Bridge.
Funding from Account No. 2490-2001.
The Commission VOTED: to approve Extra Work Order No. 3 at a cost of \$6,210.31.
The Commission further VOTED: to approve a revision in quantities on Item No. 011-010 at a cost of \$27,750.00.
8. Report of Messrs. Faucher, Misslin and Balicki, June 2, recommending approval of an extension of time from June 26, 2003 to July 30, 2003, on Contract No. P03-2200-C1A, with BSA Painting, Inc., Swimming Pool Painting, Various MDC Locations, for administrative purposes and will in no way affect the liquidated damages provisions of Article XXI that may be due the Commission, nor shall it operate as a waiver on the part of the Commission of any of its rights under this Contract.
The Commission VOTED: to approve an extension of time from June 26, 2003 to July 30, 2003, to be effective, however, only upon receipt of the written consent of the bonding company, if so required, and on condition that no further request will be made for additional compensation.
9. Report of Messrs. Faucher and Soroka, June 5, recommending approval of a revision in quantities on Item No. 003-010 – Flashing Traffic Control Devices Knockdown Repair-at a cost of \$5,500.00, on Contract No. P02-2142-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Charles River Basin Districts.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 002-020 – Maintenance for Traffic Control Devices.)
The Commission VOTED: Approved.
10. Report of Messrs. Faucher, Misslin and Gabra, June 5, requesting approval of an extension of time from June 23, 2003 to September 1, 2003, on Contract No. P02-2175-M1A, with D & C Construction Co., Inc., for Rehabilitation of Flood Control Pump –Charles River Dam, Charlestown, due to the need to repair and replace a damaged baffle-plate propeller assembly.

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13. Report of Messrs. Faucher, Misslin and Martinez, May 29, on bids for Deleading of the Norcom Building, Saugus – Contract No. P03-2220-C1A. (Messrs. Faucher, Misslin and Martinez recommend acceptance of the only bid received, that of Environmental Restoration, Inc., of \$20,500.00.)
The Commission VOTED: to accept the only bid, that of Environmental Restoration of \$20,500.00.

14. Report of Messrs. Faucher, Misslin and Gabra, June 6, requesting approval of an extension of time from July 1, 2003 to September 1, 2003, on Contract No.P03-2204- C1A with Eagle Point Builders, Inc., for Miscellaneous Pool and Bath-House Repairs at Various MDC Locations, for administrative purposes to provide contractor availability should work of an emergency nature be required when the pools open on July 1.

The Commission VOTED: Approved.

15. Report of Messrs. Faucher and McCalla, June 6, recommending approval of revisions in quantities on Contract No. P02-2164-M1A, with Coviello Electric & General Contracting Co., for Maintenance of Electrical and Electronic Systems at MDC Sports Facilities, Recreational Areas, Properties Buildings throughout the Metropolitan District.

Item No. 5 - Hourly Rate for Power Staging \$ 1,000.00

Item No. 6 - Materials, Components & Parts 49,520.00

Total \$50,520.00

Funding from Account No. 2440-7991

The Commission VOTED: Approved.

16. Report of Messrs. Faucher and Kirwin, March 26, recommending approval of revisions in quantities on Contract No. P01-2125-M1A, with P. J. Kennedy and Sons Inc., for Service Maintenance of HVAC Systems at Various MDC Facilities -

Item No.001-010 Licensed Technician - -\$16,000.00

Item No.001-020 Overtime Licensed Technician - 1,950.00

Item No.001-040 Parts and Material - \$14,050.00

(At no increase in Contract cost as the revisions will be offset by unused quantities from Item No. 001-010 – Licensed Technician, in the sum of \$16,000.00.)

The Commission VOTED: Approved.

17. Report of Messrs. Faucher and McCalla, June 6, recommending approval of revisions in quantities on Contract No. P02-2139-M2A, with Coviello Electric & General Contracting co., Inc., for Maintenance of Street Lighting Systems on MDC Parkways, Roadways and Properties at Various Locations, as follows -

Item No. 028-010 - Material Components \$17,416.00

and Parts

Item No. 029-010 - Traffic Control 3,584.00

Services

Total - \$21,000.00

Funding from Account No. 2490-0017.

18. Report of Messrs. Faucher and Kirwin, June 10, recommending approval of revisions in quantities on the following items on Contract No. P02-2140-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Beach Districts.

Item No. 004-020 - Labor Rate for	\$34,800.00
Licensed Electrician (Serviceman)	
Item No. 009-010 - Pedestrian -	2,100.00
Pushbutton and Sign	
Item No. 010-010 - Traffic Signal Metal -	4,900.00
Base, Octagonal	
Item No. 014-010 - Traffic Signal	625.00
Wire (T.F.F. #18)	
Item No. 016-010 - General Purpose -	100.00
Wire (X.H.H.W. #14)	
Item No. 020-010 - Traffic Control -	4,501.25
Services	
Total	<u>\$47,026.25</u>

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 002-010.)

The Commission VOTED: Approved.

Associate Commissioner did not participate in discussion or vote on this item.

19. Report of Messrs. Faucher, Misslin and Kane, June 2, recommending approval of Extra Work Order No. 2 - for investigation and clean out of sewer line, location and clean out of buried sewer man hole - at a cost of \$2,770.44, on Contract No. P02-2171-C1A, with Shaw Construction, Inc., for Reconstruction of the Bernie King Pavilion, Nantasket Beach, Hull.

Funding from Account No. 2440-7991.

The Commission VOTED: to approve Extra Work Order No. 2 in the amount of \$2,770.44.

20. Report of Messrs. Faucher, Misslin and Kane, June 5, recommending approval of Extra Work Order No. 11 for restoring concrete including forming, placing and finishing concrete and stripping forms - at a cost of \$2,238.99, on Contract No. P02-2171-C1A. with Shaw Construction, Inc., for Reconstruction of the Bernie King Pavilion, Nantasket Beach, Hull.

Funding from Account No. 2440-7991.

The Commission VOTED: to approve Extra Work Order No. 2 in the amount of \$2,770.44.

21. Report of Messrs. Faucher, Misslin and Kane, June 5, recommending approval of Extra Work Order No. 12 - for changes to trusses T-2 and T-2.5, blocks and bolts - at a cost of \$2,871.33, on Contract No. P02-2171-C1A, with Shaw Construction Inc., for Reconstruction of the Bernie King Pavilion, Nantasket Beach, Hull.

Funding from Account No. 2440-7991.

The Commission VOTED: to approve Extra Work Order No. 12, in the amount of \$2871.33.

Action was taken on the following matters relating to the Watershed Division:

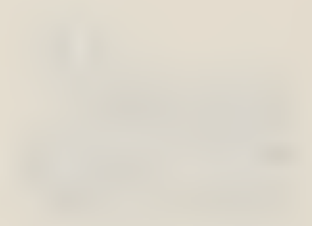
1. Report of Messrs. Church and Abounaja, May 15, recommending approval of additional funding and an extension of time on Contract No. P00-2063-D1A, with Yee Consulting Group, for Industrial Hygiene Services for Various MDC Facilities, as follows -
- Additional funding in the sum of \$20,000.00 is for Asbestos Abatement Supervision and Air Monitoring at Various MDC Facilities and to insure that the contractor is complying with all environmental rules and regulations.
 - The extension of time from June 30, 2003 to June 30, 2004.
- Funding from Account No. 2440-4994.

The Commission VOTED: Approval of additional funding in the sum of \$20,000.00 for Asbestos Abatement Supervision and Air Monitoring and to insure that the contractor is complying with all environmental rules and regulations.

The Commission further VOTED: approval of an extension of time from June 30, 2003 to June 30, 2004.”

2. Report of Messrs. Church and Abounaja, June 4, recommending approval of an extension of time from June 17, 2003 to August 31, 2003, on Contract No. P95-1789- C3A, with Zenone, Inc., for Contaminated Site – Clean-Up at Various MDC Facilities, in order for the contractor to complete work at MDC Fuel Facilities in Cambridge and West Boylston.
(At no additional Contract cost.)

The Commission VOTED: Approval of an extension of time from June 17, 2003 to August 31, 2003.”



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Action was taken on the following matters relating to the Office of General Counsel:

1. Report of Miss Murphy, May 22, recommending approval and execution of a proposed five- year license agreement by and between the MDC and the Boston Minuteman Council, Inc., for the continued use of Camp Nihan for the purpose of conducting an outdoor youth camp for Boy Scouts, and educational format for the advancement and protection of the environment, as well as leadership training.
The Commission VOTED: HELD OVER.
2. Report of Messrs. Chisholm, Gray, Kelter and Jewett of the MDC's Debt Collection Referral Committee, June 9, requesting approval for the MDC Office of Finance to submit overdue and uncollectible receivables totaling \$30,167.38 to the Office of the State Comptroller for write-off approval. The Commission VOTED: Approved as requested by the MDC's Debt Collection Referral Committee."
3. Report of Mrs. Overton Bussell and Mr. Collette, June 9, requesting approval and execution of a Memorandum of Agreement with the Island Alliance for the Rehabilitation and Improvements of Peddocks Island.
The Commission VOTED: ~~the Commission~~ to approve a Memorandum of Agreement with the Island Alliance for Rehabilitation and Improvements of Peddocks Island.
The Secretary then submitted for signature the Memorandum of Agreement, dated June 12, 2003, with the Island Alliance, which was signed by the Commissioner and four Associate Commissioners."
A copy of the Memorandum of Agreement has been retained for the files of the Commission.
4. Report of Mr. Gray, June 9, recommending that the Commission declare surplus and transfer to the Town of Wellesley, a certain parcel of land located in the Town of Wellesley, containing approximately 5.59 acres and comprising a portion of the former Lake Cochituate Aqueduct, for general municipal purposes, in accordance with, and subject to, the provisions of Chapter 267 of the Acts of 2002, but subject also to the following provisions: that the Division of Capital Asset Management and Maintenance shall consult and cooperate with the MDC on determining the delineation of the parcel prior to such transfer, and shall provide the MDC with a copy of all recorded instruments resulting from the transfer authorized by this Act; that the Town of Wellesley shall submit an Environmental Notification Form to the Secretary of the Executive Office of Environmental Affairs in accordance with the Massachusetts Environmental Policy Act (MEPA) prior to any transfer of the property, and shall address the no net loss provisions of the EOEA Article 97 Land Disposition Policy during that process, that improvements be designed to

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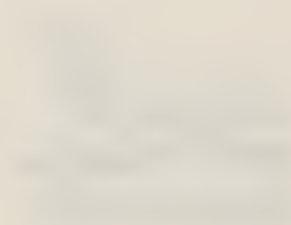
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incorporate best management practices for the management of storm water; and that the grantee be responsible for compliance with all applicable laws, ordinances, rules and regulations resulting from this transfer.

The Commission VOTED: Approved as recommended by Mr. Gray in his request of June 9, 2003.

Action was taken on the following matters relating to the Planning Division:

1. Report of Mrs. O'Brien and Mr. Driscoll, June 4, requesting approval of an extension of time from June 30, 2003 to June 30, 2005 on Contract No. PL92-017-D2A, with Carol R. Johnson Associates Inc., for Upper Charles River Reservation Restoration (UCRRR) - Master Plan and Design Services, due to the need to continue construction observation services on Phase 3A, 3B and 3A-1.
The Commission VOTED: Approved
2. Report of Mrs. O'Brien and Mr. Driscoll, June 6, recommending approval and authorization to advertise Project No. PL03-084-S1A, for Charles River Lakes District Mechanical Weed Harvesting Program - 2003.
Estimated time for performance – July to December 2003.
Estimated Cost – up to \$20,000.00.
Funding from Account 2440-2022.
The Commission VOTED: Approved.
3. Report of Mrs. O'Brien and Mr. Haglund, June 6, recommending approval of Amendment No.2, for an extension of time from June 30, 2003 through June 30, 2004, on Contract No. PL82-1022-D2A, with Carr, Lynch and Sandell, (CLS), for Design & Construction Services, North Point Park, Cambridge, due to the need to continue construction observation services during construction phase of the Contract.
(At no additional cost.)
The Commission VOTED: Approved
4. Report of Mrs. O'Brien and Mr. Haglund, June 6, recommending approval for an extension of time from June 30, 2003 through June 30, 2004, on Contract No. PL95-045-D1A, with the Halvorson Company, Inc., for Design and Construction Observation Services, Nashua Street Park, Boston, due to the need to provide construction observation services during construction phase of the contract.
(At no additional cost).
The Commission VOTED: Approved



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5. Report of Mrs. O'Brien and Mr. Haglund, June 6, recommending approval of Amendment No.2, for an extension of time from June 30, 2003 through June 30, 2005, on Contract No. PL97-046-D1A, with Pressley Associates, Inc., for Design and Construction Observation Services, Nashua Street Park, Boston, due to the need to continue construction observation services during construction phase of the contract.
(At no additional cost.)
The Commission VOTED: Approved
6. Report of Mrs. O'Brien and Mr. Driscoll, June 5, requesting approval of Amendment No.1, for an extension of time from June 30, 2003 to June 30, 2004, on Contract No. PL02- 079-S1A, with Applied Geographics, Inc., for Alewife and Mystic River Reservation Regional Mapping to continue Applied Geographics' mapping services for the Mystic River Master Plan.
(At no additional cost.)
The Commission VOTED: Approved
1. Report of Mr. Jewett, June 9, on bid for Landscape Maintenance of Lynn Shore Drive, Revere Beach Reservation, Carroll Parkway and the Lynnway - Contract No. P00-2067-M4A.
(Mr. Jewett recommends acceptance of the only bid received, that of McNulty Maintenance of \$36,000.00.)
2. Report of Mr. Jewett, June 12, on behalf of the Consultant Selection Committee requesting award of Contract No. P03-2180-D1A, for Design Services for the Restoration of Longfellow Bridge, to Jacobs Civil, Inc.
Compensation - not to exceed \$7,000,000.00 negotiated and paid on a cost plus fixed fee basis.
Time for Performance - estimated to be
six years.
Funding from Account No. 2490-8911.
The Commission VOTED: Approved
3. Report of the Concession Selection Committee, June 11, recommending award of the mobile food service location at Pope John Paul II Park, Dorchester, for the 2003, 2004, 2005, 2006 and 2007 seasons. Compensation to the Commission will be \$2,600.00 for 2003 season, \$2,600.00 for the 2004 season, \$3,000.00 for the 2005 season, \$3,000.00 for the 2006 season and \$3,400.00 for the 2007 season; and further recommending authorization for Secretary Chisholm to execute the Permit on behalf of the Commission.

SECRETARY

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